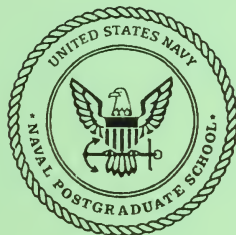


NAVAL POSTGRADUATE SCHOOL
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THESIS

THE CONSTITUTIONAL AND LEGAL STATUS OF THE
HELLENIC ARMED FORCES AND THEIR INTERACTION
WITH THE HELLENIC SOCIETY

By

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December, 1997

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**THE CONSTITUTIONAL AND LEGAL STATUS OF THE HELLENIC ARMED
FORCES AND THEIR INTERACTION WITH THE HELLENIC SOCIETY**

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ABSTRACT

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To our Dead Colleagues

I. INTRODUCTION

In his dialogue “The Republic”, Plato reserves a prominent place for a special group of citizens whom he calls “The Guardians”. As the prerequisites for the creation of an imaginary, ideal society are described, the reader realizes the existence of a diachronic checklist on how the armed forces of the State should train, be taken care of, behave and act both in peace and war¹. Moreover, the essential social and martial virtues of an ideal military cast are enumerated in great detail. For Plato, people who choose to devote their lives to the defense of their countries against internal and external threats form a unique part of the community and employ a distinct set of qualities not easily found in other societal groups. The warriors are the possessors and the handlers of the State’s armed might. As such, they must be disciplined, highly educated, well trained in the use of arms and, above all, morally and mentally balanced. The term “Education” is used here in its broader sense. It is not limited to the provision of sterile and unproductive knowledge, but it extends to the teaching of social and moral values, as well as indoctrination to democratic principles. Only such a combination of qualities may ensure that the warriors will be both fierce to the country’s enemies and gentle to their fellow citizens.

While the warriors of “The Republic’s” imaginary state should remain devoted to their noble obligation, the state should assume the responsibility to take care of their needs. In this way, a special relationship emerges between the society and the military.

¹ Of course, Plato’s “Republic” does not describe the reality of military arrangements in Ancient Hellas. In the Hellenic city-states military obligation, citizenship, and economic success were closely linked, if not identical.

On the one hand, the state provides the means for education, arming, and comfortable living of the warrior. On the other, the warrior's disciplined, balanced life acts as an example for the rest of the community and creates incentives for imitation. Nevertheless, however harmonious this relationship may be, it must also be clearly defined in terms of authority and command. The warrior class remains subordinated to the higher, ruling class, and abstains systematically from intervention in politics. Unless he abolishes his military stature, it is not wise for a warrior to be involved in politics or, even more, to become a ruler, because he may be tempted to use the combination of political and military power to pursue personal benefits. Thus, the need for political control over the armed forces of a state is firmly introduced at least as far back as two thousand years ago. Only under competent, enlightened leadership can the triangle "ruler-military-society" be effectively coordinated and balanced for the benefit of the state.

Having accepted the need for civilian supremacy, however, there remains the problem of inventing the means to institutionalize political authority through a proper legislature. For centuries, military intervention in politics was taken for granted. The relationship between the rulers and the army was an uneasy one, characterized by intrigue, intensive lobbying, and mistrust. One important reason for this was the fact that professional military career was the privilege of those few who also had a share in the political power. Furthermore, the ruler was not always popular or democratically elected, and had to rely on military power to maintain his rule. Praetorianism, private armies, and private wars were commonplace during the medieval years until the creation of the "modern" nation-state and the preponderance of absolute monarchy as the exclusive

system of government in Western European countries. These institutional transformations resulted in a clearer definition of the blurred distinction between civilian and military authority, but the military cast managed to maintain its privileged status.

The problem became less acute with the emergence of nationalism and the introduction of mass-conscript armies, as well as the obligatory, universal, and equal conscription of the late eighteenth century. Military profession ceased to be a privilege of the elite and, inevitably, liberal ideas started breaching hitherto impermeable walls. In fact, political control over the army was institutionalized for the first time in European politics after the French Revolution. Both the 1789 Declaration of Human Rights and the 1791, 1793, and 1795 French Constitutions set forth, implicitly or explicitly, the principle of full subordination of the armed forces to the democratically elected political authority² and, at the same time, the consolidation of parliamentary control on financial and administrative military issues. These early provisions formed the model for today's national armies and, with varying degrees of alterations, were adopted by the Constitutions of most European Republics.

Hellas's introduction to the modern world after four centuries of Ottoman rule was an uneasy combination of vague ideals stemming from her Hellenistic and Byzantine heritage, troubled economics, and political turbulence. Although historically and culturally Hellas is considered the mother of western civilization, her emergence as an independent state in 1828 found her estranged from the pattern of Western European

² N. Alivizatos: "*I Sintagmatiki Thesis ton Enoplon Dinameon*" (The Constitutional Status of the Armed Forces), Vol. 1, Sakkoulas, Athens/Komotini, Hellas, 1987, pp. 33-4.

institutional developments of the last two centuries³. At the same time, however, she was determined to catch up with the advanced, civilized states of the rest of Europe. From the 1828 Declaration of Independence until the culmination of a western-type parliamentary democracy after 1974, political developments in Hellas underwent similar stormy changes as the seventeenth-, eighteenth-, and nineteenth-century France and England⁴, the two sponsors that enjoyed the higher degree of influence on the new state until after WW2. The behavior of the newly born national army was equally stormy. Overt or covert, military intervention in politics became a reality of Hellenic political life. Tradition and heritage bequeathed to the officer corps some of the virtues addressed by Plato but, at the same time, were combined with the notorious individualism of the Hellenes and the political, social, and economic particularities of the Balkans. The inability of previous, weak governments to solve pressing social, economic, and political problems, coupled with the instability and turmoil inherent in this part of the world, prompted the armed forces to “assume” political responsibilities, the apotheosis of this practice being the 1967 *coup*, when the army actually took in its hands the governance of the country. It is also important to note that, in certain occasions, army intervention was tolerated by the politicians and the public, as the most convenient means to solve otherwise unresolved problems, the 1843 and 1866 interventions being the most

³ G. Courvetaris, “Greek Service Academies, Patterns of Recruitment and Organizational Change”, in Harries-Jenkins, J. van Doorn (eds), “*The military and the Problem of Legitimacy*”, London, SAGE Studies in International Sociology, 1976.

⁴ D. Dakin, “The Formation of the Greek State: Political Developments until 1923”, in J. Koumoulides (ed.), “*Greece in Transition: Essays in the History of Modern Greece*”, Zeno, London, 1977, p. 21.

prominent cases.

Prior to the 1967 *coup d'etat*, which proved to be the most long-lived, several interventions have taken place in the course of this century: in 1909 led by Col. N. Zorbas; in 1922 by Col. George Plastiras; in 1925 by Gen. Theodore Pangalos; in 1926 and 1935 by Gen. George Kondylis; and, in 1933 and 1936 by Gen. John Metaxas, as well as some others which either failed or never got "off the ground"⁵. Looking at this long interventionist pattern, however, one must not assume that consequent Constitutions did not attempt to solve the question of political control over the military. Some kind of control had been always exercised, but in many cases it was selective and served narrow political interests. In fact, the officer corps sought civilian sponsorship in order to overcome its political inexperience and offer a degree of legitimacy to its actions. The only time when the armed forces enjoyed considerable autonomy was under the *junta*-imposed 1968 Constitution. The fall of the *junta* in 1974 was an indicator that Hellas had reached the degree of political maturity required to return to democratic normality and enter the society of western democratic states, which had already dismissed their own stratocratic regimes two centuries ago.

It must be noted here that, in general, the majority of the armed forces remained either indifferent or abstained from political activities. In most of the cases, intervention was caused by minorities laying at the extremes. The circumstances imposed by the change of regime after 1974 and the fresh memories of the unfortunate past prompted the

⁵ Brown, "Greek Civil-Military Relations", *Armed Forces and Society*, Vol. 6, No. 3, Spring 1980, p. 410.

constitutional legislator of the 1975 Constitution to introduce legislation that consolidated firm, indisputable political control over a military already willing to accept it. Now, more than ever before, the Hellenic Armed Forces are fully devoted to the noble Platonic principles and coexist harmonically with the rest of the society. This harmonious symbiosis, however, was only achieved after a hundred years of unstable, turbulent political developments. Within the course of a century and a half, Hellas repeatedly abolished and reintroduced monarchy, regressed between democracy and authoritarianism, fought two successful wars (only to meet humiliation and disaster in another two), quadrupled its territory, experienced the frustration of a fratricide bloodshed with far-reaching repercussions, and introduced the last stratocratic regime among the westernized European countries. In every case, political changes were influenced, to a certain degree, by the military caste. This Thesis will provide the reader with knowledge of the factors that affected the interaction of the armed forces with the society and the political world. Chapter II will present the turbulent evolution of the civil-military relations in the Hellenic State since its independence. Chapter III will analyze the 1975 Constitution and the solutions invented by the constitutional legislator in his effort to address the question of political control over the armed forces. Chapter IV will present the current status of the armed forces from the Constitutional and legal point of view, as well as the obligations and rights of the military personnel that derive from the relevant legislation. The above findings will be concluded in Chapter V.

II. CIVIL-MILITARY RELATIONS IN HELLAS

A. ORIGINS

Modern Hellenes have the tendency to attribute many of the country's current misfortunes to the Ottoman occupation that lasted almost four centuries. Regardless of whether this convenient excuse stands serious analysis or not, it must be noted that the behavioral pattern of the Hellenic armed forces, as well as the way they were related with civil authorities, traces its roots in the Ottoman legacy. The seeds were planted during the last century of the occupation and the results became more and more apparent as the Empire drifted toward its ultimate demise. The Orthodox Christian subjects of the Empire, of whom nearly three million inhabited the traditional Hellenic territory and spoke the Hellenic language, were recognized as a nation (*millet*) by the *Porte* and treated as such. Thus, the hardships of occupation notwithstanding, they enjoyed a high degree of autonomy, the result of the decentralized Ottoman administrative system. Being governed by the Orthodox Church and their own local authorities⁶, they managed to maintain their national identity and heritage under the auspices of the Church. Furthermore, the scarce presence of organized Ottoman military units facilitated the creation of bands of irregulars who controlled the countryside and lived, mostly, on brigandage. Called *kleftes* (= robbers), they operated under the command of local chieftains (= *kapetanei*), who exercised considerable authority over their bands, as well as over the civilians of their

⁶ D. Dakin, "The Formation of the Greek State: Political Developments until 1923", in J. Koumoulides (ed.), "Greece in Transition: Essays on the History of Modern Greece", Zeno, London, 1977.

region. Occasionally, the Ottomans made coalitions with the most prominent bands and even hired them to man mountain passages of military or commercial importance. These mercenaries were called *armatoloi* (= arms bearers) and sometimes controlled large territories. Their allegiance to *the Porte* was at least questionable, depending primarily on the regular flow of payments by their employers. When the Revolution spread to the southern territories of Hellas, these bands bore initially the burden of armed struggle against the conqueror, composed primarily of guerrilla warfare and hit-and-run tactics. Occasionally, however, the chieftains' loosened conception of allegiance led to the opposite direction: in some cases, insurgent warlords threatened by numerically superior hostile forces, or motivated by regional rivalries, renewed their alliance with the Ottomans and turned their bands against the Revolution they used to support. The chieftains enjoyed increased influence and prestige within the boundaries of their respective zone of control, called *armatolik*. Among others, their authority was enhanced by the fact that they were in charge of the salaries of their men, paying them according to their performance (or obedience) and benefiting from "excess" money. Initially, preoccupation with military operations kept their political aspirations very limited. As the revolution progressed, however, participation in political developments and support of various coalitions increased the opportunities of the most ambitious to exercise political power. The only reason their political influence was not significant is the fact that, during this period and for years later, the military did not manage to act as a unified body.⁷

⁷ Stephanos Papageorgiou: "The Army as an Instrument for territorial Expansion and for Repression by the State: The Capodistrian Case", *Journal of the Hellenic Diaspora*, Vol. XII, No. 4, p. 22.

Regardless of their controversial way of life, these irregulars took great pride of their role and mission within the Hellenic society. They perceived themselves as the personification of freedom and struggle against the conqueror. Their literal independence inspired their compatriots and kept the revolutionary spirit alive. On the other hand, the Hellenic merchant marine had developed substantially during the last century of the Ottoman rule. In fact, since the mid-1700s the bulk of the Empire's marine trade was in Hellenic hands. In order to face Berber pirates, Hellenic merchants were granted permission by the Sultan to arm their ships. Apart from trade, their activities included weapons smuggling to the mainland and even piracy (when trade proved not profitable enough). Bold, adventurous and undisciplined to everyone but their captains, they dominated the Eastern Mediterranean and, during the War of Independence, provided the insurgents with a formidable force to hamper the operations of the Ottoman Navy.

When the revolution began, *kleftes*, *armatoloi*, and merchants formed the nucleus of what was to become the first national armed forces. At the same time, however, the troubled pattern of civil-military relations began taking shape, shaped by domestic as well as external factors. The relaxed Ottoman occupation had resulted to the creation of a ruling elite which benefited greatly from the existing order and had every interest in maintaining political and social changes as minimal as possible. For this politically conscious fraction of the Hellenic society, toppling the conqueror was seen simply as a change at the very top of the hierarchical pyramid. The rest had to remain unchanged, the power vacuum being filled by them, as the only means to preserve their status. In fact, Hellas, as a prefecture of the "sick man of Europe" (the name by which the Ottoman

Empire became widely known during the last century of its existence), was a mirror image of the decadent Empire: a predominantly rural society with stagnant economy, feudal social structure and antiquated institutions, in which political and economic power was shared among the privileged few. No wonder then that this class, in its effort to preserve its interests, hampered attempts at modernization and, among others, affected the formation of a regular army profoundly.⁸

As the Revolution was going on, the first provisional administrations were followed by the infant “political parties”, comprised by members of the indigenous elite. They were distinguished by their affiliation to one of the foreign powers involved in Hellenic affairs under the terms of the St. Petersburg Protocol and the 1826 Treaty of London: Russia, England, and France.⁹ These rudimentary political divisions among *Russophiles*, *Anglophiles*, and *Francophiles* created the first rivalries for predominance. The highly developed system of local autonomy provided early statesmen with relative political experience in domestic issues but, for obvious reasons, empowered their reluctance to espouse the westernized ideas introduced by their sponsors. In order to facilitate their ascendancy, they tried to ensure the chieftains’ support by indiscriminately issuing ranks, offices and money. This convenient patron-client relationship served both parts, but had two adverse repercussions: first, it created a horde of “generals”, “lieutenant-generals” and “chiliarchs” (= commanders of a one-thousand-men unit). Only

⁸ Veremis, “Some Observations on the Greek Military in the Inter-War Period, 1918-1935”, in *Armed Forces and Society*, Vol. 4, No. 3, May 1978, p.527.

⁹ John Petropoulos, *Politics and Statecraft in the Kingdom of Greece, 1833-1843*, Princeton University Press, 1968.

during the period from October 1924 to March 1925 the government issued no less than 532 diplomas granting highest military status to an equal number of chieftains¹⁰. Most of them, taking into account their insignificant combat participation and limited military abilities, hardly deserved their ranks. Except for a handful of prominent warlords fully devoted to the revolutionary cause, the majority spent their time by lobbying and fighting against each other for regional power. Inevitably, a new membership to the interest groups that had good reason to oppose drastic changes was added. Second, it set the basis of the unhealthy civil-military relations that plagued the new state for decades to come. Military's meddling with politics followed an escalating pattern that produced no fewer than three dictatorships within sixty years, as well as numerous *coups*, successful or abortive, while political parties and individuals tried to win military support and secure influence over the armed forces in order to serve narrowly defined interests. During the first half of the twentieth century, however, this struggle for supremacy did not yield positive results. Neither the armed forces emancipated themselves completely from civilian patronage, nor the politicians managed to get a tight grip over the officer corps. The underlying social, economic and political factors that affected the actions of both parties will be analyzed in the following pages.

B. MILITARY INTERVENTIONISM

Recognition of the legitimacy of the civilian authorities and military professionalism (that imposes military abstention from politics) are the most important

¹⁰ Stephanos Papageorgiou: "The Army as an Instrument for territorial Expansion and for Repression

preconditions for nonintervention of the officer corps in political matters. In the Hellenic case, neither was observed to a satisfactory degree. Early statesmen tried to endow the new republic with Western-oriented institutions, part of which included the creation of a regular army. For them, imitating the West was the best guarantee for the very legitimacy and survival of the tiny state. Their efforts, however, met not only the hostility of the ruling elite, but also the unwillingness of the revolution's freedom fighters to accept civilian supremacy. The revolutionary bands had already transformed to irregular formations with rudimentary military structure and marginal discipline, while the most important warlords ranked high among their comrades in terms of influence and prestige. Changes in the military and social *status quo* made them suspicious out of fear that their privileges might be imperiled. Introduction of a regular army would remove their personal authority and reduce them to simple employees of a faceless administration, at the same time depriving them of opportunities for higher offices. Thus, the first precondition toward normalization of civil-military relations was difficult to meet. The second one, professionalism, faced another kind of longer-term difficulties. Modernization and training, necessary factors for the creation of a professional army, were hampered by dire economic conditions. Not only the new state was impoverished by the continuous struggle against the Ottomans, but also lacked any form of centralized authority for tax collection and financial administration. The situation was so unfortunate that, in many cases, the government could not afford to provide officers and men their

salaries.

These unfavorable conditions greeted Ioannis Capodistrias, the first governor of the new state, when he disembarked the English frigate *Warspite* on Hellenic soil on 6 January, 1828. In order to mediate with the military establishment he decided the creation of semi-regular formations as a first step towards the “regularization” of the army, a task which was materialized a few years later with the formulation of the first, 3,500-men-strong, regular corps. The reasons behind this decision have to do primarily with his desire to consolidate his power *vis-a-vis* the military and will be dealt with in detail later. As far as military interventionism is concerned, however, it must be noted that during Capodistria’s brief rule the armed forces remained politically inert. With the notable exception of the fourteenth battalion’s (semi-regular) mutiny at the island of Poros, the new formations remained largely loyal, and had every reason to do so. The governor’s successful initiatives outflanked the aged, unsupportive warlords and gave the opportunity to young, hitherto unknown officers, to appear on the foreground. At the same time, the government assumed direct responsibility of the troops’ payroll. In this way he deprived the *kapetanei* of the influence they used to exert over their men and turned the army to an obedient tool at the hands of the central authorities. The only weak point of this clever maneuver was that the impoverished government was unable to ensure a regular flow of payments to the army, creating strife among the troops.

Unfortunately, whatever positive gains were accomplished during this short period vanished after Capodistria’s assassination in 1833. The semi-regular formations, a not-so-stable force anyway, disintegrated and resorted to brigandage for survival. The

regular corps managed to retain their discipline and military structure until the government forced them to disband by cutting off their salaries. The force of Bavarian mercenaries brought with King Otto acted as a model for the new national army. Otto's rule, however, marked the beginning of increased military activism in political matters. The history of military interventionism can be divided in three distinct phases¹¹, based on the military's efforts to perform as independent actors in the Hellenic political scene. During the first phase, which started after Hellas's formal declaration as an independent state in 1833 and lasted until WWI, the armed forces were subordinated to, or acted in unison with, the political world. The important characteristic of this period is the public's acquiescence to military interventions. In fact, while most of the future interventions had dire consequences for the state, the three revolts that took place in this period produced positive gains for parliamentary rule and political institutions¹².

The Interwar years are marked by the transitional character of the second period. The military became actively involved in politics, as indicated by the numerous *coups* that took place from 1922 until 1936, but did not brake its ties with the politicians. The highlight of this phase is the clear division of the officer corps along political lines. The two conflicting camps, the royalists and the liberals, contested each other for predominance. In this power struggle they supported (or were supported by) the

¹¹ Different scholars prefer a more detailed division, focusing on the value orientations of the officer corps during each period, or on the patron-client relationships developed between military and civilian authorities. See James Brown: "Greek civil-military relations", in *Armed Forces and Society*, Vol. 6, No. 3, Spring 1980, p. 390. Also T. Veremis, "I Epemvaseis tou Stratou stin Elliniki Politiki" (Army Interventions in Hellenic Politics)", Exantas, Athens, 1977.

¹² V. Papacosma: "The Military in Greek Politics: A Historical Survey", in J. Koumoulides, (ed): *"Greece in Transition: Essays in the History of Modern Greece"*, Zeno, London, 1977, p.173.

sympathetic political fractions they were loyal to. In the longer term, the conservative loyalists proved a more coherent group and managed to consolidate their power after the 1936 *coup*, led by Ioannis Metaxas.

The turbulent years of WW2 and the clash between communists and government that followed immediately after the war were the prelude of the third phase. American intervention under the Truman Doctrine and the successful outcome of the Civil War entailed significant changes on the character and mission of the armed forces. The army devoted its efforts to the preservation of the Crown and the conservative postwar regimes, the only viable (as it seemed) solution for the containment of communist expansionism. At the same time, however, the armed forces assumed independent political role, emancipating themselves from civilian control, and acquired the monolithic conservative ideology that characterized them for two full decades. This political environment had two unfortunate consequences: it estranged the armed forces from the civilian population, whose interests was supposed to protect, and facilitated the creation of minority conspiratorial groups among the officers corps, the members of which shared common anticommunist beliefs and distrusted politicians and democratic procedures. One of these groups succeeded in toppling the elected government in 1967, setting up a military regime in complete control of the political life of the country. The 1967 *junta* was the inevitable outcome of the political and social evolution of the last century, but also it closed the circle of military interventionism in politics. The 1975 Constitution restored normal political order, establishing civilian supremacy over the armed forces that remains unchallenged until today.

1. First Phase: 1833-WWI

One of the terms negotiated by King Ludwig I of Bavaria (before his son Otto became the first King of Hellas) was the disbandment of the irregular forces, an act that materialized in March 1833 by royal decrees. At this time, there remained 5,000 irregulars at arms in the liberated areas, as well as about 700 regulars, the remnants of Capodistria's regular army¹³. The same decrees provided for the creation of a regular force based on the 3,500 Bavarian mercenaries, and offered incentives to the freedom fighters to enlist in the new national army. The terms of the enlistment, however, were considered humiliating by the irregulars and only a handful of them responded to the call. It was very difficult for the undisciplined, revolutionary-minded men to adopt to Bavarian discipline, while Hellenic officers received substantially less payment than their Bavarian counterparts. The bulk of the irregulars either crossed the state's northern borders to offer their services to Ottoman notables or became brigands, operating in the mountainous borderline¹⁴. Brigandage became a plague for the countryside throughout Otto's rule, and for years the army remained preoccupied by the effort to deal effectively with it.

Meanwhile, public opinion turned against Otto for what was perceived an injustice against the heroes of the revolution. His absolutist way of ruling made him more and more unpopular. In fact, monarchy was never liked by the entirety of the population,

¹³ J. Petropoulos: *"Politics and Statecraft in the Kingdom of Greece, 1833-1843"*, Princeton University Press, 1968, p. 165.

¹⁴ Ibid., p. 169.

as being largely foreign to the habits, conventions, and temperament of the Hellenes¹⁵. They tolerated Otto for they believed that he could convince the great powers to provide the much-needed financial and diplomatic aid to Hellas.

As time passed, a large part of the population became increasingly politically conscious, demanding constitutional reform, while the fever of irredentism spread among civilians and military alike. This irredentism was expressed by the teachings of the “Great Idea” that advocated the liberation of all the Hellenes from Ottoman occupation and the resurrection of the Byzantine Empire, with Constantinople as its capital. These ambitious dreams were confronted, however, by precarious economic and military conditions. The state’s economy faced permanent deficit and the new national army, officially formed in 1837, was decimated by desertions, exceptions and sick leaves, never reaching the theoretical number of 10,000 men. Its operational responsibilities were limited to repressing local upheavals and fighting brigands, a not-so-redoubtable occupation for an army with irredentist ambitions.

The situation became intolerable in 1843, when the government declared its inability to serve the country’s foreign debt. Under the threat of intervention, the Great Powers (the most important creditors) imposed severe financial control and demanded drastic cuts of public spending. The military was hit particularly hard. Officers’ salaries were reduced to a minimum and 200 Hellenic officers were put on forcible suspension, while Bavarians retained their financial and military privileges. Consequently, the public

¹⁵ Kostas Messas: “Greece”, in Danopoulos/Watson (eds): *“The Political role of the Military”*, Greenwood Press, 1996, p. 155.

realized that the Crown, instead of a source of foreign support, was becoming a national liability¹⁶. Otto's independent policies had alienated the Great Powers and turned them against Hellas. So, in September 1843, the army rebelled, supported by political parties and civilians, and demonstrated in front of the Palace demanding a Constitution, which was reluctantly granted by the King¹⁷.

The 1844 Constitution provided for wide public participation in the state's affairs. Nevertheless, Otto continued his absolutist reign and his popularity diminished not only in the domestic, but in the international field also. Despite other shortcomings he, too, was infected by the irredentist fever, and the pursuit of this goal brought upon him the wrath of the great powers, whose interests at the time lay on the preservation of the Ottoman Empire. Moreover, the people wanted a truly representative government formed by national elections, and not Otto's appointees to govern them. Capable officers saw their prospects for promotion very limited if their name was not included in the list of the Crown's favorites. Other reasons for Otto's unpopularity were his inability to provide an heir for the throne and his reluctance to make a commitment that the future King would convert to the Orthodox Christian faith. Public discontent and military's grievances coincided once again with the interests of the existing parties in late October 1864, and the result of a new rebellion was Otto's forced abdication a few days later. A national assembly approved the Powers' nominee for the throne, Prince William of the Danish

¹⁶ J. Petropoulos: *"Politics and Statecraft in the Kingdom of Greece, 1833-1843"*, Princeton University Press, 1968, p. 440 .

¹⁷ A historic square in Athens lying in front of the Palace, Syntagma Square, was named after this event. Today, the old Palace houses the Parliament.

Glücksburg dynasty, who became King George I of Hellas, and drafted a new Constitution that reflected liberal European doctrines of the period and tried to prevent any recurrence of centralized absolutism¹⁸.

George's reign was the longest period without military intervention. Local upheavals and brigandage had already been repressed, but the army remained weak and not well equipped. Resurgent irredentism and the realization, after 1870, that Hellas should prepare itself militarily to claim some spoils from the imminent collapse of the Ottoman Empire, prompted the government to initiate programs of military reorganization. Unfortunately, economic realities precluded drastic transformation. As a result, the Hellenic armed forces numbered no more than 25,000 in 1877, while at the same time the Ottomans deployed 700,000 troops against the Russians during the 1877 Russo-Turkish war¹⁹. Defense budget was reduced from 58 million drachmas in 1885 to a mere 19,7 million in 1893²⁰. Then, in 1893, the Hellenic government declared the state officially bankrupt. Primary concern of the post-bankruptcy governments was the drastic reduction of defense spending, an act directly opposing the irredentist ambitions of the Crown, the army, and the public. The armed forces were not in position to fulfill the high expectations bestowed upon them by the people. Except for this, internal problems constrained the effectiveness of the army. Professional grievances arose among the

¹⁸ V. Papacosma: "The Military in Greek Politics: A Historical Survey", in J. Koumoulides, (ed): *"Greece in Transition: Essays in the History of Modern Greece"*, Zeno, London, 1977, p.174.

¹⁹ M. Meizanis, *"I Politiki tis Ellados kai i Epanastasis tou 1878 en Makedonia, Ipiro kai Thessalia"* (Hellenic Politics and the 1878 Rebellion in Macedonia, Epirous, and Thessaly), Athens, 1879, p. 29.

²⁰ J. Pikros, "Towards the 1897 War", in *The History of Hellenic Nation*, Athens, 1977, Vol. 14, p. 95.

officers, who were concerned for the privileged status of the Military Academy's graduates. As a rule, the Academy accepted the heirs of the most prosperous families of the Hellenic society, which were able to pay the high tuition fees. The graduates had the right to choose their future service and, for reasons of social prestige, they chose either artillery or engineering. They even received higher salaries. Consequently, infantry and cavalry were deprived of capable officers. Of course, promotion chances up to the rank of Colonel were higher in the latter services, but only artillery or engineering officers were able to reach the rank of General²¹. These deficiencies demonstrated their disastrous effects in the unfortunate 1897 war against the Ottomans. With their prestige and self-image severely damaged, disaffected officers turned their wrath against the royal heir Constantine, the failed field marshal of the campaign, and established the Military League, the first secret society in the history of modern Hellenic army. In order to empower the League, they conscripted Academy graduates who had been massively transferred to the infantry after the defeat. Ultimately, those graduates assumed leading positions within the League. Thus, an important social change took place within the ranks of the corps by the blending of middle-class officers with the prestigious, high-class graduates. Every movement including the latter in its ranks would stand better chances for appeal to the social elite, and the officers' interests would be more easily represented.

When the League became tired of the inefficiency of government officials, its members decided to act for the first time independently of organized political factions or

²¹ T. Veremis: "Ellinikos Stratos ke Politiki" (Hellenic Army and Politics) in Veremis, (ed.) "*Stratos ke Politiki*" (*Army and Politics*), Athens, 1977, p. 124.

foreign interests. Furthermore, a serious schism occurred between the army and the Crown, when the King declined appeals made by the military and the Cretans to take steps to unify the island of Crete with Hellas²². In the morning hours of 28 August 1909, they demonstrated peacefully at the Athenian suburb of Goudhi²³. Under implicit threats of a wider revolution, and probably military takeover, the League convinced the government to accept its demands, which included the settlement of outstanding professional disputes, revitalization of the army, and increased defense spending. The public, unaware of the movement in the beginning, but holding grievances against those who exercised political control, fully endorsed the revolt. It must be noted, however, that the League's members did not want to act as praetorians, neither had they ambitions to establish a military dictatorship. From the very beginning they declared their respect to the existing democratic institutions and their loyalty to the monarchy. Moreover, they realized very soon that fierce patriotism could not compensate for political inexperience. The Cretan politician Eleftherios Venizelos was called to act as a mediator between the League and the government. Venizelos asked for the complete subordination of the rebels to him, a demand that was immediately accepted. Thus, he entered Hellas's political life, and within a year he and his Liberal Party won an overwhelming majority in the Parliament. He immediately launched a vast, emergency military expansion program, an act that was justified a few years later. His popularity, as well as that of the army, peaked

²² K. Messas: "Greece", in Danopoulos-Watson (eds.): *"The Political Role of the Military"*, Greenwood Press, 1996, p. 156.

²³ V. Papacosma: "The Military in Greek Politics: A Historical Survey", in J. Koumoulides, (ed.): *"Greece in Transition: Essays in the History of Modern Greece"*, Zeno, London, 1977, p.175.

after the victorious Balkan wars of 1912-13 and his outstanding personality dominated political evolution in Hellas for the next thirty years. At the same time, however, the seeds of an unfortunate division within the officers corps were planted: public and military delineated themselves along two broad political factions whose antitheses, intensified as the years passed, produced dire consequences for the nation. The Interwar years were marked by the frequent clashes of the opposing camps and the formation of unholy alliances between politicians and military as they quested for preponderance.

2. Second Phase: The Interwar Years

Significant transformations in the social structure of the officer corps took place during the years preceding WWI, which played an important role in the evolutions of the Interwar period. Venizelos' expansion program, that included nationwide conscription, and the requirements of the Balkan wars, dictated an increase to the numbers of commissioned officers. The Military Academy increased its output and, after the abolition of the tuition fees, widened the social basis of its nominees. In 1912 the Academy accepted 270 students, roughly equal to the number of students it had accepted during the previous fifty years of its existence²⁴. Another way to supplement the corps was the promotion of a vast number of reservists to a regular status, as low rank or noncommissioned officers. Consequently, the once (almost) homogeneous officer corps was penetrated by people originating from a wider social spectrum, and the inevitable political diversification they brought with them. This political pluralism combined

²⁴ Veremis, "Ellinikos Stratos ke Politiki" (Hellenic Army and Politics) in Veremis, (ed.) "*Stratos ke*

uncomfortably with the professional insecurity caused among the reservists. In peacetime, the armed forces could not accommodate the increased numbers of officers. So, when the promotion lists became crowded, the reservists figured among the first in fear of dismissal. As a result, in their search for a strong patron to protect their rights, they became highly politicized and prone to conspiratorial movements²⁵. In general terms, most of them were inclined towards the liberal Venizelist camp, since they were beneficiaries of the party's policies. On the other hand, serious differences erupted between the Parliament and the Crown. Even though Venizelos initially supported the royal family, he clashed with King Constantine on vital aspects of foreign policy regarding the country's involvement in WWI. Venizelos wanted to send troops in support of Serbia, to honor the terms of an existing Treaty, while the Germanophile Constantine insisted on strict neutrality. The inconsistent *Entente*²⁶ Balkan policy, and the initial overwhelming successes of the German army, justified the King's attitude. Venizelos wholeheartedly supported involvement on the Entente side, hoping in future territorial gains at the expense of the Ottoman Empire.²⁷ The bottom line of this clash was that, by 1916, Hellas was divided geographically, militarily, and politically in two camps. A Venizelist, military secret society proclaimed a revolt in Thessaloniki and Venizelos set up a pro-*Entente* provisional government, while royalists entrenched themselves around

Politiki" (*Army and Politics*), Athens, 1977, p. 124.

²⁵ Brown, "Greek Civil-military Relations", *Armed Forces and Society*, Vol. 6, No. 3, p. 391.

²⁶ *Triple Entente*: The name by which the Western Powers (England, France, and Russia) became widely known during WWI.

²⁷ Anderson: "*The Eastern Question 1774-1923*", St. Martin's Press, New York, 1966, pp. 320-36.

the King in Athens. Again, the revolt was endorsed by the population, because the Venizelist position coincided with public beliefs related to the Great Idea and with the army's chauvinistic aspirations.

This disgraceful division, which became known in Hellenic history as the *National Schism*, had very unfortunate consequences for the nation. It created hatreds that plagued the people, the army, and the political world throughout the Interwar period (and maybe long after). Furthermore, it prompted the decisive and harsh reaction of the *Entente* powers, which saw their strategic interests in the area threatened. They imposed a forcible solution to Constantine who was humiliated and forced to abdicate, passing the throne to his son Alexander before leaving the country. Venizelos' triumphant return in Athens was followed by the forming of a new administration and the purging of thousands of royalist civil servants and officers, the vacuum being filled by adherents of the opposing camp. His choice justified him in the long term: not only Hellenic forces fought to good purpose against the Central Powers in the Bulgarian front, but also the country had a good hearing at the Paris Peace Conference in 1919²⁸. Army's prestige reached new heights but, unfortunately, the nation's dreams came to an abrupt end a few years later, when Hellenic forces, under the implicit support of the victorious Powers, occupied regions of Asia Minor and Eastern Thrace under the terms of the 1920 Sèvres Treaty. Venizelos' popularity was already rapidly diminishing, the reasons being war weariness (some draftees were in uniform for more than eight years), the realization that

²⁸ D. Dakin: "The Formation of the Greek State", in J. Koumoulides (ed.): *Greece in Transition: Essays in the History of Modern Greece*", Zeno, London, 1977, p. 59.

the implementation of the Great Idea demanded continuous fighting and bloodshed, and troubled economy. Despite important economic achievements, Hellas remained predominantly an agricultural country, and working hands were badly needed in the fields. When Venizelos tried to renew the public mandate in November 1920, his party was severely defeated. Constantine was restored and his adherents, holding old grievances, were more than happy to purge their opponents once more. Disregarding serious strategic disadvantages, the King decided to push forward in Asia Minor. The army's ranks had been disrupted by the continuous purges, capable officers had been cashiered or put out of action, the morale was low and, above all, the Western Powers withdrew their support to Hellas after the King's restoration. The result was a disastrous defeat at the hands of Kemal's nationalistic army in 1922. On the aftermath of the catastrophe Colonels Plastiras and Gonatas, brilliant military leaders who had managed to retain their forces' cohesion during the hasty retreat of the defeated army, revolted against the central authority in order to protect the country from further damage and proclaimed a revolutionary committee. Constantine left Hellas for good and passed over the throne to his son George II (Alexander died shortly before the elections). In a demonstration of independent action, and a precursor of things to come, Gonatas became Prime Minister and ruled the country in almost dictatorial terms. Event though the committee proclaimed itself above political parties and declared its loyalty to the throne (its motivations being purely anti-Constantinist), it gathered around all the anti-monarchist elements. Political polarization was inevitable, resulting in unbridgeable differences between the two camps. Gonatas' regime successfully repressed a counter-

revolt in 1923. It is important to note that the opposing camp was not involved in this new revolt. Its leaders represented the third group within the army, the politically neutrals, who also formed the majority of the officer corps. During those turbulent years, most of the officers abstained from politics, remaining loyal to the noble teachings of the military profession and despising their comrades who preferred to get involved in political affairs. Their neutrality, however, produced negative results, for it permitted the extremist minorities to monopolize the pattern of civil-military relations and discredit the army. It was the first time this politically inert mass got involved in this unfortunate power struggle. The second, and last one, took place exactly fifty years later, when General Davos, commander of the Third Army Corps, toppled Ioannide's *junta* in 1973.

Another important event had serious effects on the political and social structure of Hellas. As a result of the 1922 defeat and the subsequent negotiations, almost 1.5 million refugees from Asia Minor were transferred to the Hellenic mainland. Most of them were resettled to the countryside and adhered to the Venizelist camp, attributing their misery to the royal regime. Moreover, the inability of the republican governments to cope with their serious problems made them prone to accepting the teachings of a new ideology that appeared in the country: communism. A new and dangerous element to the anti-conservative camp was added. Meanwhile, the idea of changing the regime from monarchy to republic materialized in 1924, only to be disrupted one year later by General Pangalos' coup. Pangalos, a leading personality of the 1909 revolt and well known for his

radical anti-monarchist ideas,²⁹ attracted the support of prominent republican leaders and toppled the inefficient government. Consequently, he outmaneuvered his political patrons and ruled as a dictator until 1926, when his former military accomplices overthrew him and put him to jail. Venizelos was recalled to support a republican coalition, but things had already gotten the wrong way. His Liberal Party was divided in various fractions and the public, tired of the continuous military interventions, was turning against the Republic. The population supported the return of the King, the only authority believed to be capable of containing the military. When they realized that they were losing to the opposition, the republicans staged two more unsuccessful *coups* in 1933 and 1935, the last one resulting to the restoration of the monarchy.

Thus, the ill-conceived actions of the liberal camp conspired against the republic they were supposed to protect. Within a year the King, in order to prevent further turmoil, suspended vital articles of the Constitution and vested upon the veteran General Metaxas dictatorial powers. Wholesale purges of every liberal and Venizelist element followed. The officer corps acquired the monolithic, right wing ideological coherence that accompanied it for the next forty years and determined its behavior: suspicious toward the political world, distrustful of parliamentary procedures, anti-Communist and predisposed against efforts for modernization of the political life. During the Metaxist dictatorship, and for years after, the army's primary mission was to protect the regime against its primary internal enemies, Venizelism and communism. This political one-

²⁹ V. Papacosma: "The Military in Greek Politics: A Historical Survey", in J. Koumoulides, (ed): *"Greece in Transition: Essays in the History of Modern Greece"*, Zeno, London, 1977, p.180.

sightedness had at least one negative consequence when the nation went to war against the Axis powers in 1940-41: even though it fought courageously against the invader, the officer corps faced an ideological confusion, for it was called to fight against the regimes considered closest to their own political beliefs and ideals. This confusion followed the remnants of the Hellenic army to Egypt, making them vulnerable to the intensive left-wing political activism that developed there. The Albanian campaign and the subsequent fight against the Germans entailed mass conscription and permitted the infiltration of communist elements, especially among the noncommissioned officers and the draftees. The communists' primary demand was that, after the liberation, the King should not return until the fate of the monarchy was decided in a plebiscite.

Military interventionism in Egypt took the form of mutinies, inspired by communist teachings, among the three Hellenic brigades on the eve of the Sicily landings. For years later, the Hellenic Communist Party accused the British government for conspiracy, while the British claimed that the communists' goal was the incapacitation of the force, the majority of which was considered pro-monarchical. The bottom line of this disgraceful situation was that the British disarmed and contained the majority of the troops (17,000 out of 20,000), leaving only the Mountain Brigade for active service,³⁰ and depriving them of the chance to play a decisive role in the country's liberation. The ensuing Civil War and its aftermath set the stage for the third phase of the turbulent civil-military relations in Hellas.

³⁰ Yanouloupoulos: "Greece: Political and Constitutional Developments 1924-1974", in J. Koumoulides (ed.), *"Greece in Transition: Essays in the History of Modern Greece"*, Zeno, London, 1977, p. 75.

3. Third Phase: The Postwar Years

Beside the inevitable catastrophes and the serious social and administrative dislocations, war brought other important changes as well. The communist guerrillas' dominance of the countryside during the occupation spread socialist ideas and created increased demand among the public for wider political participation. As the victorious allies were celebrating over the ashes of the Nazi Empire, however, the first East-West differences that evolved to the Cold War appeared. Since it was decided during the war that Hellas should remain in the "free world" camp, these public demands conflicted with the West's preconceptions against their former eastern allies. Extremist thinking, imposed by the Cold War ideology, developed rapidly during the late 40s and equated every form of liberal ideas with communism. Furthermore, the notion of containment demanded the preservation of "*status quo*" regimes in the countries under western influence, as well as armed forces able to prevent the anticipated communist expansionism. The Hellenic army was to play a leading role in the emerging political environment by assuming the responsibility to protect the state against communist infiltration. As a consequence, rightist governments and the Crown became the major beneficiaries of the new mission. Most importantly, the army managed progressively to emancipate itself from political influence and act independently of the will of political parties. This was the most important difference between the prewar and the postwar years: while until 1936 military interventionism was limited to participation in the power struggle, after the war the army

acted as an autonomous actor raised over and above political disputes.³¹ Its role was greatly facilitated by the concrete ideological coherence it acquired during the war. After the Middle East mutinies, the British purged the force from most of the remaining liberal elements and made sure that only “loyal” officers would return to form the nucleus of the new national army. The officer corps demonstrated the first signs of independence when it blocked the decision of the first postwar coalition government (acting in concert with the King in an effort for political reconciliation) to expiate officers cashiered during the repeated Interwar purges. This disobedience was encouraged by the British tendency to intervene in favor of the military³², as well as by the Sacred Bond of Hellenic Officers (IDEA)³³, a secret right-wing military organization that became very influential after its establishment in 1944, creating a strong parastate and intervening directly in political and military affairs.

Efforts toward military reorganization along new lines proved ineffective when the Civil War erupted in 1947. Despite its numerical superiority, the national army was badly equipped to cope with the hit-and-run tactics of the insurgents, and political considerations rather than operational needs dictated its initial operations³⁴. Very soon it

³¹ N. Alivizatos: “The Greek Army in the Late Forties: Toward an Institutional Autonomy”, in *The Journal of the Hellenic Diaspora*, Vol. V, No. 3, Fall 1978, p. 39.

³² *Ibid.*, p. 42.

³³ IDEA: *Ieros Desmos Ellinon Axiomatikon* (Sacred Bond of Hellenic Officers). See Veremis: “*The Military in Greek Politics*”, Black Rose Books, 1997, pp. 152-3.

³⁴ Ministers and politicians kept pressing military leaders to assign troops for the defense of their hometowns, or regions of their constituency. See Veremis-Gerolymatos, “The Military as a sociopolitical Force in Greece”, in *The Journal of the Hellenic Diaspora*, Vol. 17, No. 1, 1991, p.120.

found itself tied to a static war in defense of major cities and lost control of half of the country's territory. This unfavorable situation changed drastically after the British withdrew from the Balkans and the USA assumed responsibility of Hellenic matters under the Truman doctrine. In fact, after the war Hellas experienced direct intervention by foreign powers in her internal affairs. With the notable exception of 1916, when the harsh reaction of the Entente powers led to the humiliating abdication of the King, until the late Interwar years intervention had the form of "benign" involvement, sometimes repressive, but mostly discreet. The Cold War climate, and the imminent danger of a communist takeover in Hellas, dictated decisive measures and active "participation" by the new sponsors. As a result, the country in general, and the army in particular, received substantial economic and military aid at the expense of political pluralism. Inherent weaknesses of the existing political establishment could not guarantee Hellas would remain in the western camp. Accordingly, the containment of the Hellenic left became an issue of great importance. An empowered army, acting on the backstage, was the most reliable tool for this undertaking, while the existence of a political leadership safeguarded the pretext of parliamentary governance. American planners had decided that, in order to succeed in its new mission, the army had to become "depoliticized" and break its ties with the political world.³⁵ The anticipated emancipation was achieved relatively easily for one additional reason. The army, already distrustful of politicians, was becoming increasingly disaffected of the King because of his efforts to come in terms with the

³⁵ Roubatis: "The United States and the Operational Responsibilities of the Greek Armed Forces, 1947-1987", *The Journal of the Hellenic Diaspora*, Vol. VI, No. 1, Spring 1979, p. 43.

prewar political world, an action that was perceived as a threat to the *status quo*.

The first important step towards the autonomization of the army took place in January 1949, when General Papagos was appointed commander-in-chief of the armed forces. The need to defeat the communists awarded him with dictatorial powers. He alone was made decisions for military operations and affairs or had the right to impose martial law. Moreover, his decisions were binding for the Minister of Defense³⁶. In the mean time, IDEA had shifted its loyalty from the King to Papagos, a fact that annoyed the royal family when it realized that it was losing its traditional influence over the army. Military's devotion to Papagos was so deep that, when he announced his resignation in 1951 after a dispute with the Crown³⁷, hardcore IDEA members decided to intervene. Only Papagos' diplomatic skills and his indisputable influence on the officer corps prevented IDEA from staging a *coup*. In spite of his rightist origins, Papagos had certain respect for democratic procedures, and realized that an overt dictatorship would discredit the corps.

His martial virtues notwithstanding, he also proved a master in politics. After the victorious outcome of the Civil War, his acceptance by the military and the public's confidence in him resulted to his triumphant election as Prime Minister in 1952. Papagos acted as a mediator between politicians and military and his election reflected the delicate balance between the illusory adherence on democratic principles and the covert, albeit

³⁶ Veremis: "The Greek Army in the Late Forties: Towards an Institutional Autonomy", *The Journal of the Hellenic Diaspora*, Vol. V, No. 3, Fall 1978, p.43.

³⁷ Veremis: "*The Military in Greek Politics*", Black Rose Books, Montreal, 1997, p. 152.

active, military interventionism.³⁸ His death in 1955 renewed the question of civil-military relations. Having lost its mediator (and, at the same time, the guarantor of its autonomy), the officer corps remained loyal to the Crown and the civilian authorities only as long as the latter two continued to accept the army's widened role. The uneasy symbiosis continued throughout the fifties, but was disrupted by important changes that marked the beginning of the new decade. Meanwhile, in 1958, an extreme right-wing splinter fraction of IDEA, the National Association of Young Officers (EENA)³⁹, was established. Common sheer anti-Communist perceptions and outright disdain of parliamentarism bonded its members, and its leader was George Papadopoulos, the future dictator.

The developments that led to the 1967 *coup* were international as well as domestic. Professional grievances reappeared among the officer corps. The substantial numerical expansion of the force, dictated by the Civil War requirements, crowded the middle ranks and reduced drastically the chances for promotion. Moreover the army, living in a politically and socially sterilized environment, had lost contact with the changes that affected the Hellenic society. The sixties were a period of rapid economic expansion and liberalization after two decades of economic deprivation and limitation of civic rights.⁴⁰ The *bourgeoisie* was determined to claim a greater share of the newly

³⁸ N. Alivizatos: "*I Sintagmatiki Thesis ton Enoplon Dinameon*" (The Constitutional Status of the Armed Forces), Vol. 1, Sakkoulas, Athens/Komotini, Hellas, 1987.

³⁹ EENA: *Ethniki Enosis Neon Axiomatikon* (National Association of Young Officers), one of the most extreme and, as it proved, most active secret military organizations.

⁴⁰ Veremis: "*The Military in Greek Politics*", Black Rose Books, Montreal, 1997, p. 155.

acquired wealth and demanded increased political participation and pluralism, intensifying conservative fears for penetration by “unwanted” elements and ideas. Finally, by the early sixties it was widely accepted that a Soviet invasion of Europe was highly unlikely. The diminution of the communist threat deprived the army of the primary excuse for its increased political activism. So, the *putschists* had to reinvent the danger, resurrect a ghost of the past, and renew the army’s sacred mission⁴¹. The chance was offered after the 1965 crisis between the liberal government of George Papandreou and the Crown. The inability of the two institutions to solve the crisis, and the anticipated victory of the liberal forces in the oncoming elections gave the EENA officers the pretext to act independently of the King, the nominal “head” of the army, and stage their *coup*. From the beginning, it was apparent the determination of the “Colonels’ *junta*”, as it became widely known, to institutionalize the army’s emancipation from traditional political ties without, however, granting it full autonomy. Absolute control passed in the hands of Papadopoulos, who invented for himself the position of the Chief of the Armed Forces, depriving the Minister of Defense and the Chiefs of Staff of their authorities, and legitimized his action through the imposed 1968 Constitution. The 1967 *coup* marked the heyday of the army’s struggle for institutional autonomy, by relieving it from political and royal influence alike.⁴² The stratocratic regime, however, became an anachronism within the society of the developed western European States, in which Hellas had the

⁴¹ Veremis, “Ellinikos Stratos ke Politiki” (Hellenic Army and Politics) in Veremis, (ed.) “*Stratos ke Politiki*” (*Army and Politics*), Athens, 1977, p. 136.

⁴² N. Alivizatos: “*I Sintagmatiki Thesis ton Enoplon Dinameon*” (The Constitutional Status of the Armed Forces), Vol. 1, Sakkoulas, Athens/Komotini, Hellas, 1987, p. 87.

ambition to become a member. Seven years later, discredited and politically isolated, the *junta* invited the political forces it had toppled to reassume control. More than two thousand years after they were first introduced, Plato's teachings on the noble mission of the Guardian Soldier proved their validity and diachronic value.

III. IMPLEMENTATION OF CIVILIAN CONTROL

The uncertainties of the Revolutionary period made political supremacy the primary concern of civilian authorities even before Independence. Establishment of control over the armed forces translated into a valuable alliance and, at the same time, secured the government from possible military takeovers. Provisional Constitutions since 1822 set explicitly the Executive in charge of military matters, either directly, or through the responsible ministers. Unfortunately, the turmoil of the upheaval conspired with the incompetence of the first governments and the distrust (if not the hostility) of the freedom fighters to render these provisions ineffective. An underlying factor for this unpleasant situation was the deep regional dislike between the two newly liberated areas of Hellas: Moreas (Peloponnisos) and Roumeli. Traditionally, Moreas (the southernmost tip of the Balkan Peninsula) enjoyed a healthy economic life based on agriculture and trade. The accumulated wealth, and the region's close ties with the West, gave the opportunity to Moreot notables to participate actively in the politics of the forming state from a very early stage. On the other side, the mountainous, resource-poor Roumeli had to settle on its limited economic prospects, while its inhabitants had developed a warrior-class mentality. As they bore the great burden of the armed struggle against the Ottomans, Roumeliots had learned to despise their southern neighbors, who had neglected the revolutionary cause and meddled with politics. The insecurity of the infant political formations, however, and the warriors' desire to protect their interests in the emerging world, created temporary coalitions between the two groups. It was a partnership born out of necessity and, as such, condemned to be neither stable, nor long-lived.

The “partners” got involved in a fierce power game, as each one tried to outmaneuver the other for predominance. The previous chapter analyzed the efforts of the military society to perform as an independent actor, and even as a protagonist, in the Hellenic political stage. Logically, the opposite side’s determination to solve the question of supremacy entailed a different approach. The inherently turbulent situation in the area, however, and the existence of external as well as domestic threats (real or perceived), prevented the political world from acting the way it should in a democratic, western-style society. Politicians often encouraged, or were encouraged by, the military’s involvement in the political arena, to serve their respective party’s interests and ensure its control over the armed forces. This was, in fact, an extremist, distorted form of subjective control.⁴³ The quintessence of subjective control is to integrate the military into the existing social complex by maximizing its civilianization through proper indoctrination and, thus, its adherence to generally accepted democratic norms. It pays close resemblance to the widened meaning of Education, as Plato describes it in his *Republic*. Civilianization, however, is quite different than politicization, the political choice of civil-military relations dictated by the Hellenic realities. The army’s overinvolvement in politics proved counterproductive in the long term. As long as weaknesses and disagreements divided the parties, the military was offered the chance to realize the extent of its power *vis-à-vis* the political world and act accordingly. The next pages will analyze the politicians’ reaction in their effort to consolidate their control over the military establishment through

⁴³ S. Huntington: “*The Soldier and the State: The Theory and Politics of Civil-Military Relations*”, Harvard University Press, 1957, pp. 83-85.

Constitutional and legislative reforms.

A. EVOLUTION OF POLITICAL CONTROL

Apart from the power game for control over the military, another important characteristic of politics in Hellas was the lack of the required respect to the existing Constitutions from some heads of the State. The fact that, in certain occasions, the First Citizen was “proposed” by the Great Powers and, as such, foreign to domestic politics, created another pole of power that, in many cases, had many reasons not to act in concert with the political parties. Disregard of the Constitutional provisions ranged from human and political rights in general to the command of the army in particular. The start of this political inconsistency was made with Capodistrias and the 1827 Damala Constitution, drafted and ratified by the Third National Assembly. Unlike the Epidavros 1822 and Astros 1823 Provisional Constitutions,⁴⁴ the last one had serious prospects of success, partly because it was accepted by the overwhelming majority of the delegates. Embodying many liberal ideas of contemporary Europe, it was also designed to protect the interests of the ruling elite. Accordingly, even though it put the Executive (personified by Capodistrias who had already been elected as a seven-year-term President) in charge of military affairs, in order to empower the Parliament *vis-à-vis* the President it stated that all Presidential decrees had to be countersigned by the respective Ministers. Moreover, Presidential authority was further reduced by a bill of rights.

⁴⁴ Damala (Trizina), Epidavros, and Astros: all three towns lay in Peloponnisos (Moreas) and tied their names with the first National Assemblies and the efforts to provide the new State with a viable Constitution. Moreots had been very active politically since the beginning of the Revolution.

Despite his personal political beliefs, however, Capodistrias was determined to follow his own path, creating a western-style, centralized state, run by a strong bureaucracy and representative institutions (Legislative and Judicial, being formed primarily by Moreot nobles, were not exactly “representative”). There is no evidence that he had ambitions to rule in a dictatorial way. He simply needed time and help to install a bourgeois state to a pre-bourgeois society facing, at the same time, the uncooperative existing social classes⁴⁵. Rampant anarchy in the countryside, poverty, and uncertainty in the international field, had convinced him that Hellas was politically immature to embrace the provisions of such a liberal Constitution. Finally, Capodistrias had no difficulties in persuading the Parliament to suspend the Constitution, an act ratified a few months later by the Fourth National Assembly. The hostility of the existing political and social elite was inevitable. Lacking, as a newcomer, wide social base, he was obliged to vest the materialization of his vision to an entirely new institution loyal to him and detached from local micropolitics. Under the circumstances, the creation of a regular army subordinated to the President was the only logical choice.

Capodistrias vacillated between the two possible solutions of the military question: he either had to disband the irregular units and form a new army using as a basis the 1,000-men-strong *Philhellenes* force⁴⁶ (the only force available with a

⁴⁵ S. Papageorgiou: “The Army as an Instrument for Territorial Expansion and Repression by the State: The Capodistrian Case”, in *The Journal of the Hellenic Diaspora*, Vol. XII, No. 4, p. 34.

⁴⁶ *Philhellenes*: Foreign citizens who rushed to help the Revolution. Despite their noble motivations, their operational effectiveness was at least questionable, a fact proved during the disastrous battle of Peta (1826) in the Epirus region (Western Hellas), where the *Philhellenes* force was decimated by the Ottoman army.

rudimentary military structure), or he could try to absorb gradually the irregulars into semi-regular formations, forming thus a purely “Hellenic” national army. The choice of the latter solution was dictated out of fear of the severe economic and social consequences after the abrupt disbandment of the 25,000 irregulars but, at the same time, condemned the *Philhellenes* force to oblivion and caused their dispersal.⁴⁷ Clever political maneuvering and a policy of concessions toward the older warlords emancipated the troops from traditional bonds, facilitating the formation of a semi-regular and, shortly afterwards, the first truly regular army. Whether Capodistrias’ initiatives toward modernization would have succeeded or not is a matter of speculation. His assassination in 1831 put an abrupt end to his plans. In the struggle of supremacy over the political and military establishment, however, he marked a clear-cut victory, underlined by the army’s loyalty to his person. In fact, the regular force acted more like a Praetorian Guard, its primary mission being the keeping of internal order and the repression of local rebellions, as in the case of the Poros mutiny.

Otto, the first King of Hellas, fared much worse than Capodistrias in his relations with the armed forces. The forcible dissolution of the remaining irregulars and the remnants of Capodistrias’ regulars alienated both the public and the army. Otto’s adherence on the Bavarian mercenaries was irritating for the Hellenic officers, who shifted their loyalty to the Parties. The suspension of the Constitution suited the King very well, for he was able to rule in an absolutist way until 1843. Then, wholesale social

⁴⁷ Veremis: “Ellinikos Stratos ke Politiki” (Hellenic Army and Politics), in Veremis (ed): “*Stratos ke Politiki*” (*Army and Politics*), Athens, 1977, p. 112.

strife forced him to cede a Constitution to the people, a concession very humiliating from his point of view, for it marked the end of absolute monarchy in the country. Thus, in order to compensate for the lost prestige of the Crown, he pursued the inclusion of Article 25 that appointed the King leader of the armed forces⁴⁸.

Ultimately, the 1844 Constitution proved a façade. Otto continued his absolutist rule, but he never secured control over the armed forces. Preferential treatment of the Bavarians and the army's embarrassing preoccupation of acting as a police force against the brigands made the King neither beloved, nor acceptable by the officer corps. Moreover, Constitutional scholars raised the first serious debate about the advisability of concentrating such power in the hands of one person. Article 25 contravened Article 16 that put the Legislature in charge of military matters as far as defense appropriations and the fixing of the armed forces strength were concerned, and Articles 20 and 23 that demanded ministerial countersignature⁴⁹. The arising question concerned the extend to which the King was able to act autonomously in such sensitive matters as the military affairs and the national defense without consulting the other bodies. The debate intensified after Otto's abdication as two additional developments took place. The first one was the introduction by the 1864 Constitution of the principle of popular sovereignty that empowered the peoples' representatives *vis-à-vis* the Constitutional monarch. By

⁴⁸ Although the fundamental terms were presented to the King by the rebels, certain political factions in Hellas wanted the 1844 Constitution as conservative as possible, in order to avoid civil war and prevent the preponderance of the very active *Russophiles* Party. The situation suited Otto very well, since the real power remained concentrated at the top. The Constitution was finally ratified by the Parliament after minor revisions and many debates.

⁴⁹ Alivizatos: "*I Sintagmatiki Thesis ton Enoplon Dinameon*" (The Constitutional Status of the Armed

maintaining, however, the King's privileged position as regards the leadership of the army, it demonstrated implicitly the desire of vesting this responsibility on the Crown. Even though the powers that ousted Otto had drafted and ratified the new Constitution, they had left a crucial provision untouched and open to interpretation. This decision revealed the second development in the Hellenic political life: despite its controversies, monarchy as an institution was becoming embedded in the minds of many Hellenes, offering the much needed prestigious outlook of a civilized nation. The revival of the "Great Idea's" irredentism greatly enhanced the monarch's image, materializing the folk legend of the "Petrified Emperor"⁵⁰ on the person of the King. Logically enough, the Crown had every reason to manipulate this image that embodied the two most important elements of authority, national leadership and command of an ambitious and impatient army. The armed forces accepted eagerly the new promising role of the monarch for one additional reason: since the Capodistrian and Ottonian purges of the irregular fighters, the new national army had lost its ties with the glorious revolutionary tradition. Until the victorious Balkan wars, the officer corps was in search of an identity and justification of its existence. This relationship was temporarily disrupted, however, after the unfortunate 1897 adventure against the Ottomans. Nevertheless, the royal heir Constantine, already occupying the position of the CinC of the armed forces since 1888, managed to survive the defeat for which he had been accused as jointly responsible. Furthermore, he made a

Forces), Sakkoulas, Athens/Komotini, 1987, p.60.

⁵⁰ "Petrified Emperor": Refers to the last Byzantine Emperor Constantine Paleologos. The legend wanted him not dead, but lying petrified in a secret place, waiting for the right moment to rise and lead the nation to a new fight against the Ottomans, ultimately reviving the Byzantine Empire.

step forward towards the consolidation of his authority with the positions of Supreme Commander and Inspector General, introduced with a royal law in 1900. These appointments offered Constantine complete control of the armed forces, condemning Defense Ministership to a purely ceremonial post.⁵¹ The Parliament's fierce reaction produced no effect, resulting to the Minister's resignation and the creation of a group of disaffected junior officers who found themselves out of the narrow confines of royal favoritism. This disaffection signified itself with the 1909 revolt. According to the Military League's (which, nevertheless, insisted on declaring its loyalty to the monarchy) demands, Constantine was deprived of his appointments. Oddly enough Venizelos, although anti-monarchist himself, showed initially no desire to clash with the Crown, and even supported feverishly his proposal to the Parliament to reinstate the Constantine as Inspector General. Subsequently, the 1911 Constitution did not clarify the question of control, the responsibility on military matters being shared equally between the government and the Crown during the early Venizelist years. The institutional division that resulted in the *National Schism* was followed by the uncertain interwar years, and the political world reassumed control during the Metaxist dictatorship. The real power, however, remained in the hands of the King, since Metaxas acted as his plenipotentiary. Although supporting the dictatorship, the officer corps had shifted its loyalty to (and vested its interests upon) the Crown, the perceived guarantor of the national ideals and unity.

⁵¹ Veremis: "Ellinikos Stratos ke Politiki" (Hellenic Army and Politics), in Veremis (ed.) "*Stratos ke Politiki*" (*Army and Politics*), Athens, 1977, p. 121.

The monarch's absolute supremacy was not to survive the turbulent postwar years, but the new partner in the power game was the army itself. For reasons already explained, the armed forces acquired substantial autonomy after the successful outcome of the Civil War. General Papagos tried to play a mediating role between the centrifugal forces that threatened the country's coherence, but the armed forces' subordination to his authority was circumstantial, as it proved by the pace of events after his death. The 1952 Constitution, even though progressive, was equally vague in its provisions regarding civilian control. Moreover, its effectiveness was further reduced by a series of emergency laws and decrees dictated by the anomalies of the Civil War and acting as a convenient tool for the repression of fundamental democratic principles. Some of them remained in force as late as until 1974. The inability of the major State institutions to contain the power of the army resulted in the 1967 military takeover. When democratic normality returned to the country, a plebiscite held in December 1974 abolished the monarchy and established the Third Hellenic Republic. A primary concern of the 1975 Constitution, which remains in force until today,⁵² was to remedy the inconsistencies of the past.

B. THE 1975 CONSTITUTION AND ITS PROVISIONS

It must be noted that, as is the case with most contemporary Constitutions,⁵³ neither the 1975 Constitution nor the previous ones include explicit provisions for the establishment or maintenance of national army. Nevertheless, by referring to such

⁵² The 1975 Constitution was amended in 1986, but the amendments regarded only the articles related to the Presidential authority.

⁵³ The French 1830 and the Belgian 1831 Constitutions were used as bases for the Hellenic 1844 one

important issues as the leadership and command of the armed forces, or the obligation of every citizen capable of bearing arms to contribute to the defense of the Fatherland, it demonstrates the peoples' willingness to take for granted the existence of the army as an integrated part of the society. Drawing experience from previous years, however, the Constitutional drafters⁵⁴ sought to avoid past controversies and clarify the hitherto blurred division of power among the three poles: the Chief of State, the elected government (representing the people), and the army. Again, international practice was used to ensure that the new document would be in concert with the principles of the emerged Republican regime and with modern European Constitutions. Thus, Article 45 defines clearly the limits of authority, stating that "The President of the Republic is the CinC of the Nation's Armed Forces, the command of which shall be exercised by the Government, as specified by law"⁵⁵. The reasoning and the consequences of this provision, whose clarity is met for the first time in a Hellenic Constitution, are manifold. According to Article 30, Paragraph 1, the President regulates the function of the institutions of the Republic. This responsibility, and the fact that the presidential nominee enjoys the approval of the overwhelming majority of the Parliament (two-thirds of the deputies must vote in favor), imply that his/her⁵⁶ personality stands above political parties

Subsequently, some fundamental provisions were used almost unchanged until 1952.

⁵⁴ The Committees that elaborated the Constitution before the original document was brought to the Parliament for final debate and ratification.

⁵⁵ The (amended) Constitution is published in the Government Gazette, Vol. 1, No. 24, 14 March 1986. An English version can be found in the Hellenic Ministry of Foreign Affairs website, <http://www.mfa.gr/syntagma/>. These two sources should be used as quotations whenever a reference to the Constitution is made.

⁵⁶ The Constitution does not preclude females from assuming the presidential post. This derives from

and acts as the guarantor for the implementation of democratic procedures. By entrusting the symbolic leadership of the armed forces to the President, the Constitution demonstrates the determination to extricate the army from the sway of the political parties, ensuring thus its coherence and maximizing its effectiveness in its primary mission, the protection of the country from external threats. In order to prevent, however, the concentration of enormous power in the hands of one person, the Constitution charged the elected government with the responsibility to command the army according to the letter of the law. In view of the implications entailed by the new regime and the unfortunate experiences of the past, giving this responsibility to a collective instrument was the most logical answer to a controversial question that tantalized previous generations. The government is elected by the public, enjoying the majority's confidence and acting as an extension of the peoples' will. The constitutionally consolidated civilian supremacy over the armed forces denotes the Constitution's adherence to the principle of popular sovereignty.

This division of power between the primary institutions of the State, the Presidency and the government, acts in reality as a strengthener of the regime. Both sides are obliged to act in unison for the preservation of the Republic, and each one may check the other in case of perfidy. Additional safeguards are provided by relevant Articles. Thus, acting in his capacity as CinC of the army, the President is entitled to thorough and continuous briefing on military matters, and responsible of supervising the legality of

Article 4, that declares all citizens equal, and from Article 31, that determines the prerequisites for nomination (which do not include gender discrimination).

governmental actions regarding the command of the army.⁵⁷ Chances for reaction are very limited, however, because he does not have the power to dissolve the government. In case he realizes governmental peremptoriness, the President has only two choices: he may either address the nation or resign on the hope that the existing Parliament will not be able to elect a new President, something that automatically results to its dissolution and the proclamation of national elections.⁵⁸ On the other hand, and this provision is met for the first time in a Hellenic Constitution, the First Citizen is liable to impeachment, according to Article 49, paragraph 2. The cases that justify impeachment (high treason and/or intentional violation of the Constitution) are, of course, extremist, but the desire to create a system of “checks and balances” between the primary institutions of the Republic is apparent. Finally, Article 35, paragraph 1, states that all Presidential actions and decrees are invalid unless countersigned by the relevant minister, who assumes full responsibility even if the decree is not published in the *Government Gazette*.⁵⁹ This provision is so binding that applies even to such important actions as the declaration of war and the conclusion of economic or defensive treaties (to which he is entitled, according to Article 36, paragraph 1, acting in his capacity as the Head of the State).

A short notice is necessary here about the army, which used to form the third pole of power, because the profound changes that took place in the officer corps’ mentality are often forgotten. It is important to keep in mind that the enactment of fundamental

⁵⁷ Alivizatos: “I Syntagmatiki Thesis ton Enoplon Dinameon” (The Constitutional Status of the Armed Forces), Vol. 1, Sakkoulas, Athens/Komotini, 1987, pp. 97-107.

⁵⁸ Ibid., p. 107.

⁵⁹ A law, or decree, acquires official status only after its publication in the *Government Gazette*.

democratic principles, such as civilian supremacy over the armed forces, were the primary concern of previous Constitutions also. The existence of a First Citizen was taken for granted, regardless whether he was a King, a President, or a dictator, and the political forces that assumed the governance of the country after 1974 were similar to those that existed before the 1967 *coup*. Accordingly, the question that arises is why the new Constitution succeeded where the others had failed, and what prompted the military to lay their ambitions for autonomization off. One reasonable answer is that the *junta* revealed the weaknesses of the anachronistic belief that the armed forces could become factors of stability and supervisors of political life. The high-ranking officers who toppled the Colonels shared the beliefs of the majority of the officer corps that the army had to redefine its mission and devote itself to the protection of the country's territorial integrity. Their decision to oust Colonel Ioannides⁶⁰ (by providing him with an *ultimatum*) and call Constantine Karamanlis to become Prime Minister demonstrated their willingness to hand the control over to the politicians and return to the barracks. The fact that the Republic was challenged a few times, during 1975, by a minority of dissident pro-*junta* officers,⁶¹ can be considered generally as the exception that justifies the rule.

Actually, the sociopolitical changes after 1974 marked an equally important change in the army's role. The small but militant communist party, banned since the Civil

⁶⁰ Ioannides, former leader of the powerful military police, had ousted Papadopoulos one year earlier.

⁶¹ These were movements of minor importance, originating from small groups of radical extreme-rightist officers who felt nostalgic for the old regime. In any case, these movements were doomed to failure, because they did not attract the support of either the society or the army at large, the only real danger being the rumors about plans for the assassination of Karamanlis. See Danopoulos: "Beating a Hasty Retreat: The Greek Military Withdraws from Power", in Danopoulos (ed.): *"The Decline of Military*

War, was recognized as a legitimate political force. Conservative elements criticized this decision, which nevertheless was considered as a prerequisite for a smooth transition to democracy and the entailed political pluralism. With the most important “internal enemy” of the 50s and 60s vanished, the army ceased to act as a police force and assumed its traditional responsibilities as the guardian of the country’s territorial integrity. The only remaining internal threat is the attempt for a forcible catalysis of the democratic regime by a rebellion or a *coup*. Even then, though, according to Article 120, the obligation for the protection of the Constitution applies collectively to all the citizens, and not exclusively to the armed forces. Another reason that contributed to the military’s redefined role was the emerged tension in the Hellenic-Turkish relations over the issue of Cyprus and the Aegean Sea. Through the late 70s and early 80s, Hellas had the dubious privilege of spending the highest percentage of funds, relative to the GDP, for defense procurements (6.8 percent compared to NATO’s average of 3.8 percent in 1984) among NATO members,⁶² and this situation continues until today. The revived challenge from a traditional rival, and the army’s importance for the protection of the country’s vital interests, re-polished the military’s tarnished image and helped the army to undergo some kind of catharsis in the eyes of the people.⁶³ The Constitution itself facilitated this evolution. Apparently, by proclaiming the principle of equality among the Hellenes, it

Regimes: The Civilian Influence”, Westview Press, 1988, pp. 246-8.

⁶² Veremis: “The Military in Greek Politics-From Independence to Democracy”, Black Rose Books, 1997, p. 174 .

⁶³ Courvetaris-Dobratz: “Public Opinion and Civil-Military Relations in Greece since 1974”, *The Journal of Strategic Studies*, Vol. 4, 1981, p. 83.

accepts the military as an indivisible part of the existing social context. The Constitution, however, is a very dogmatic and rigid document, and the time and effort needed to amend it are substantial. In such important issues as the national defense, the government has to be exempt from the Constitutional rigidity. One of the armed forces' missions is to act as a tool of foreign policy in the hands of the nation's leaders, and rapidly changing political situations demand equally rapid response. The required flexibility is provided by Article 45. Thus, the implementation of the governmental command of the armed forces, as well as some special arrangements dictated by the particularities of the military profession, are left at the discretion of the common lawmaker.

Indicative of the substantial flexibility provided to the government by this provision is the fact that the Constitution does not define explicitly the role of the armed forces, neither does it place limitations of any kind to the potential uses of the army by the rulers. Thus, apart from a foreign policy tool, further utilization of the armed power is left at the discretion of the elected government. Of course, relevant laws define both the meaning of National Defense as *"the sum of actions and activities, developed by the State, in order to protect the territorial integrity, the national independence and sovereignty, and the peoples' safety against external attack or threat, as well as the support of the national interests"*⁶⁴, and the primary mission of the armed forces.⁶⁵

⁶⁴ Article 1 of Legislature No. 2292/1995, as published in the *Government Gazette* of 15 February 1995. This Law, recently amended, draws its origins from an older one (660/1977), and empowers considerably the position of the Minister of Defense.

⁶⁵ Article 1 of the Military Code (Presidential Decree No. 130/1984) defines the primary mission of the armed forces as "the safeguarding of the country's defense and the protection of national independence and territorial integrity of the Fatherland".

Article 48 of the Constitution, however, that describes in detail the preconditions under which the country can be put under a stage of siege, does not preclude the use of the army as a means to cope with internal threats. Consequently, under extraordinary circumstances, the army may act as a National Guard force as well, supplementing the existing police forces. The Parliament is charged with the responsibility to determine whether the severity of the emergency justifies the declaration of the state of siege, and a three-fifths majority is required. Under normal political conditions, this majority requires the positive vote of at least one opposition party to be achieved. This provision ensures the consent of as large part of the political world as possible. The government is responsible to determine the extent of the emergency measures, while the duration of the measures, as well as the circumstances under which the duration of their enforcement can be extended, are defined explicitly in the first paragraph of Article 48 itself. By putting these restrictions, and given the fact that both the government and the parliament are bound by the rule of law, the Constitution tries to prevent any “unauthorized” use of the extreme provisions of Article 48.

IV. THE LEGAL STATUS OF THE ARMED FORCES

Control of the army became a major preoccupation of the governments of the advanced Western European States in the beginnings of the 19th century. First among them was the French Republic, through the theories of the famous publicist Maurice Hauriou, who proposed statutes for the establishment of the army's political neutrality in the hope that this would result in enhanced political control.⁶⁶ The rationale of this theory was that the monopolization of the power by the military commanders within their areas of jurisdiction⁶⁷, without firm control by the existing government, created a powerful social class that was able to influence both the policies and the decision-making process. These first moves to restrict the privileges of the military caste and subordinate it to the political leadership were soon adopted by Germany, where the restrictions were soon extended to the entire body of civil servants. At that time, the theory of "besonderes Gewaltverhältnis" was introduced in Germany. The main purpose of this theory was the subordination of all the public servants, military and civil ones, to the absolute control of the Emperor, under the regime of constitutional monarchy.

The European political leaders attempted to avoid the assimilation of the armed forces with the society, a practice anticipated to guarantee their loyalty to the authorities. Experiences from the emerging communist ideas proved that assimilation was dangerous

⁶⁶ Maurice Hauriou (1856-1929) first used the term "*cantonement juridique*" in his book "Principles de droit public", Paris, 1910, in order to emphasize the need of the State to regulate the armed forces. His views were shared by other institutionalists of that period, like Georges Renard.

⁶⁷ This was a common practice in many European countries. Where military units were stationed, the commander had also political jurisdiction over the relevant Province.

for the existing *status quo*, since the army was prone to transfer its loyalty to the masses. For the two previous centuries isolation was not only possible, but also desirable, facilitated by the existing social and political conditions. Military profession was the exclusive occupation of the higher classes that were, anyway, separated from the lower strata of the society. Political neutrality was unnecessary, since the noble origins of the officer corps entailed participation in the political game. The situation was altered drastically after the introduction of the mass armies and the inevitable broadening of the social base of the officer corps.⁶⁸ This broadening coincided with the Industrial Revolution and the teachings of Liberalism that swept across Western Europe, changing profoundly the existing social and political order. As elements from different social strata penetrated the once homogeneous officer corps, the rulers understood that it was utterly unrealistic to safeguard the political neutrality of the armed forces by continuing their social isolation. Moreover, the special regulations that separated the armed forces from the rest of the society proved to be impractical. The governments responded quickly and adapted themselves to the new situation. Instead of insisting on the principle of isolation, they “opened” the armed forces to the virtues of the civil society, vesting their hopes for control on proper legislation and the healthy political consciousness of the new military. An exceptionally successful example is the re-establishment of *Bundeswehr* in 1956. Having fresh the memories of the Nazi period, the German politicians tried to rationalize the military service and create the paradigm of the military-citizen, a person who has

⁶⁸ As already mentioned, Hellas met these changes prior to the Balkan Wars.

absolute respect to the Constitution and understanding of the State's demands from him. The way the German Constitutional drafters achieved that was the expansion of the social base from where the personnel of the armed forces were drafted. However, since the army had lost its privileged status, the Constitutions and the relevant laws provided for the protection of the fundamental rights of the military, in order to avoid transition on the other extreme that might resulted to their transformation to second-rate citizens. With a hundred-year delay, the Hellenic armed forces followed the same path.

A. MILITARY LAWS AND REGULATIONS

After the 1967 *coup* and the seven-year military regime, which derived from it, both the Hellenic society and the political world were reluctant to accept the extension of the citizens' personal liberties to the armed forces. The experience of the postwar years, and the army's arbitrary inauguration as the controller of the political developments engendered suspicions for the future behavior of the army at large. Nevertheless, based on the Constitution's adherence to the principle of equality and isonomy, the judicial branch proved more sensitive and granted many of these liberties to the military.⁶⁹ The societal and political changes that took place after the change of regime were decisive for this undertaking. The legitimization of the Communist party, and the ensuing political pluralism, rendered antiquated past perceptions against any form of liberal ideas. Such perceptions tolerated the existence of laws and decrees, which, although in outright contradiction with fundamental Constitutional principles, affected not only the citizens,

⁶⁹ N. Alivizatos, "I Sintagmatiki Thesis ton Enoplon Dinameon" (The Constitutional Status of the

but also the conduct of the military's life. When the new government demonstrated its willingness to dispense with the unconstitutional laws, the armed forces became indirect beneficiaries through the initiatives of the judicial branch, which was determined to treat all the Hellenes equally. The introduced changes affected primarily peripheral issues, where the boundaries of the military norm blend with the boundaries of the rest of the society. This procedure was perceived as the most proper way to facilitate the adaptation of the armed forces to new societal norms, by offering them incentives to disentangle from their distinct military identity.

Despite these good intentions, however, the nature of the profession has within it a special subordinating relationship between the State and the military, and dictates some self-evident restrictions. It is widely accepted that the cornerstone of every military organization is discipline. Unexceptional obedience to the State's needs and the military regulations is primary prerequisite for the armed forces to succeed in their mission. Therefore, discipline is identified with the core of the relationship between the army and the government, and based on clearly stated restrictive rules. These particularities dictate the simultaneous existence of two diverging sets of laws. One of them, imposed by the Constitution and the Military Code, defines the limits that differentiate the military from the other citizens. The other one, based on the Constitutional principles of equity and isonomy, refers to the rights and civil liberties of the military as members of the Hellenic society. In this way the legislature attempts to solve the problem of the armed forces'

Armed Forces), Vol. II, Sakkoulas, Athens/Komotitni 1992, p.132.

loyalty to the State and the mission, without turning them to a completely detached and isolated societal group. The 1975 Constitution refers to the armed forces only in three Articles of it. These Articles include the entirety of the Constitutionally imposed restrictions related directly to the military. The provisions of Article 29, paragraph 3, attempt to secure the partisan neutrality of the military, while Article 56 prevents the active military personnel running for electoral or public office. Finally, Article 96, paragraph 4 arranges for their potential subsumption to the military courts of justice. The American reader will find interesting the fact that the Constitution provides only for the partisan and not the political neutrality of the military. In the United States, where the two major parties do not have profound ideological differences, political neutrality guarantees the partisan neutrality. In the case of Hellas, however, as well as in most of the European States where the existence of many parties results in a substantial political diversification from the extreme right to the extreme left, the legislation must take care of the partisan neutrality. By forbidding partisan preferences, the Constitution prevents situations where the loyalty of a military might be challenged by his/her loyalty to the party. On the other hand, by applying equally the freedom of political expression, it eliminates the chances of societal discrimination.

1. Sources of Restrictions

The constitutional provisions fail to mention explicitly the rights of the officer corps as citizens of the state. Even more, they do not mention the restrictions that apply to those rights covered by the principle of equity, relying thus, on the discretion of the elected government as the body responsible to determine the variety and the magnitude of

these restrictions in order to secure the desirable devotion to the interests of the State. The lack of such an explicit regulation in the 1975 Constitution requires us to examine whether the restraints are self-evident and in which specific rights may be imposed. Since they are not manifested in the Constitution, the restrictions are described in relevant laws and military regulations. Both of these sources of legislation followed an evolutionary path, and, at each period of modern Hellenic history, they reflected the political perceptions and developments of the country. Even during the last years they tend to be homogeneous, they are the product of the traditions and practices of each branch of the armed forces. Most of these can be found in each branch separately⁷⁰ and all of them combined form the Uniform Military Code. Moreover, there is a series of separate, independent laws, such as the Hierarchical Executive Order of the Armed Forces and the Military Regulation on Selection and Promotion Procedures, which affect either directly or indirectly the legal status of the military and consecutively their constitutional rights.

In every country, the legislator finds himself in a dilemma when he faces the different lawmaking procedures that will impose certain restrictions upon the constitutional rights of the military. The first, traditional approach to the problem was to consider them as a unique class of citizens that must be treated by the State in other-than-equal terms as a differentiated part of the society. It was characterized by the fundamental belief that these “differentiations” are self-evident and have to do with the mission and organization of the army. Moreover, the rights and obligations must be strictly declared

⁷⁰ For the Hellenic Army such a document is the “Ratification of the General Regulation of Service in the Army” of 1984. For the Air Force is the “Ratification of Discipline Regulations of H.A.F.” of 1977.

in the constitution. The problem deriving from this approach is twofold: First, in the case of a liberal, albeit anti-military government, the military are at great risk to become second-class citizens, since they are allowed to claim nothing more than the rights defined by law. The inevitable result in this case is the diminishing operational effectiveness of the army as a whole and the shift of its loyalty towards self-declared “saviors” who are ready to promise the military an upgraded social status. Second, an authoritarian regime might use this differentiation to promote the military, by careful manipulation of the constitutional provisions, to an elite social class willing to support the governmental goals, acting either as an internal security force or as promoter of aggressive foreign policies.

The second approach, introduced in theory during the beginnings of the 19th century and implemented at large after WWII, is to view the military as common citizens but with a special status. It considers the restrictions to be applied by exception, as a necessary means to serve the specific needs of the military structure and facilitate the functionality and flexibility of the army. Professor Alivizatos characterizes these two different approaches, as “Presumption of Differentiation” and “Presumption of Isonomy”.⁷¹ As far as the restrictions to the rights of the military are concerned, the final outcome may be irrelevant to the followed approach, since it is based on the degree of autonomy provided to the government by the constitution, the specific operational and

⁷¹ “N. Alivizatos, “I Sintagmatiki Thesis ton Enoplon Dinameon” (The Constitutional Status of the Armed Forces”, Vol. II, Sakkoulas, Athens/Komotini 1992, p.136.

defensive needs of the country and, finally, the perceptions of each government towards the armed forces. In any case, selection of the proper approach limits the prospects of future illegalities.

2. The Hellenic Reality

After the Liberation, the Hellenic lawmakers tried to organize the first national armed forces according to the European prototypes of that time, which, based on contemporary beliefs and perceptions, followed the first approach. Due to the lack of previous experience, the legislature's aim was to organize the structure of the army along existing, proven lines. However, the special status awarded to the military affected not only the service life, but also intruded in their private life, forcing them to live according to an austere moral code quite different and more restrictive from the rest of the society. Such legislation was introduced in the Military Code of the era without any objection and its implementation was actually facilitated by the fact that the majority of the people who entered the armed forces originated from the middle and upper social strata.

As already mentioned, the repeated interventions in the political life did not permit the army to understand and assimilate the ongoing changes that were taking place in the Hellenic society. Therefore, the military regulations remained bound to the same archetype that cut off the armed forces and established their societal exclusivity. After WWII, the Western European armies attempted the first "openings" to the society and its values. It was the by-product of the massive postwar demobilization and the subsequent remobilization imposed by the Cold War, which, in essence, created "new" armies emancipated from the old, traditional guard. Unfortunately, while these profound changes

altered the shape of civil-military relations in Western Europe, the situation deteriorated even further in Hellas. The influence of the Civil War forced the reorientation of the legislation and its refocusing on political rather than societal distinctions. Its purpose was to cut off the armed forces from the subversive elements of the society, which could divert the army from the expanded mission that had been assigned to it after WWII. The culmination of this situation was the multiple legislative initiatives during the seven-year *junta* that had the sole purpose of sealing the armed forces in general from the rest of the society.⁷²

Before examining the existing situation, it is important to take a look at the theoretical part of the constitutional legislation. A major principle accepted by most of the developed countries, states that it is unacceptable for a constitution to treat part of its citizens favorably or unfavorably without special provisions. On the contrary, differentiation among the citizens is acceptable when based upon objective criteria, such as the level of education, the professional experience or if there is an unrevoked conviction for specific offenses. The principal of equality necessitates that the legislature must not create breaches in the universality of the society, unless the constitution states specific qualifications for someone to exert certain rights or, otherwise, the inhibition or deprivation of someone's specific rights is permitted by it.⁷³ The concession to permit the legislature to impose restrictions on issues, which the constitution does not mention,

⁷² N. Alevizatos, "*I Politiki Thesmi se Krixi, 1922-1974*", (The Political Institutions in Crisis, 1922-1974), Athens, 1983, p.191.

⁷³ A. Svolos, G. Vlahos, "*To Sintagma tis Ellados*" (The Hellenic Constitution), Athens, 1954, p. 128.

enables the re-introduction, even under a new form, of arbitrary discrimination⁷⁴ that would divide the society in groups or classes. Such a condition is disallowed not only by the constitutional theory but also by the contemporary political philosophy and social consciousness.

What is generally acceptable for those who have special relation with the state, such as the military's "special subordinating relationship", is the lawful restriction of their constitutional rights, up to the point that the accomplishment of their mission dictates. As it has been recognized in many European countries the obligations of the people who serve in the armed forces are determined by the needs of their mission⁷⁵ and not by the very nature of their military status. The Hellenic Constitution, recognizing the particularities of the army's status, provides for their rights based upon the same rights that exist for the other citizens. It does not dictate restrictions imposed beforehand, due to their profession.

3. Rights that may be restricted

Accepting the above, it is easier to apprehend which constitutional rights of the military should be restricted. The list of the affected rights is not limitless, the limits being imposed by the pursuit and perseverance of the fighting capacity and the need for full functionality. During the 1976 conference of the "International Society for the Military Rights", the spokesman O. Triffterer, summarizing all the colloquists and based

⁷⁴ If the constitution permits such conditions, then we face a situation where these discriminations rest on respective laws.

⁷⁵ As this mission is described in the constitution of each country.

on national proposals, stated that the military must enjoy all the constitutional rights as every other citizen.⁷⁶ The restrictions that may apply must not be based either on the needs of the military service or the military discipline itself. He even assumed the extremist position that the notion of loyalty to the state does not justify such restrictions. The sole purpose of the restraints must be the preservation of the army's combat readiness.

Triffterer's view is not the only one dealing with military rights and the limits of their restrictions. German legislation has decided that there are certain constitutional rights that cannot be limited.⁷⁷ The Basic Law of Germany clearly states that only the constitutional rights that have to do with the free expression of opinion, or with convening and submitting reports⁷⁸ can be restrained for the military or those who serve their duty. Furthermore, the German law accepts the restriction of other rights, for those military people who serve in sensitive positions. In the Hellenic legislation, one can find the relevant restrictions stated in current military codes and regulations, either imposing rules of behavior or establishing prohibition to certain activities. One of the most fundamental rights of the citizens, stated in every constitution, is the right for life and the physical and mental integrity. These rights are included in Articles 5, paragraphs 2 and 7,

⁷⁶ Alivizatos, "*I Sintagmatiki Thesis ton Enoplon Dinameon*" (The Constitutional Status of the Armed Forces", Vol. II, Sakkoulas, Athens/Komotini, 1992, p.146.

⁷⁷ The German Federal Constitutional Court had announced three principal reasons for the enforcement of constitutional restraints to the citizens that are subjected voluntarily or involuntarily in such restrictions. These are (a) pursuance of the public interest crowned by the constitution or the international law, (b) restrictions necessary for that interest and (c) restrictions proportional to the importance of public interest.

⁷⁸ As long as this report is submitted in common with other members of the armed forces and deals with the same topic.

paragraph 2 of the 1975 Constitution. Nevertheless, the risks involved in the military profession, as the armed wing of the state, imply a direct restriction to this provision. The obligation of the military to undertake life-threatening assignments must not lead the legislature to increase the demands of the state as far as the levels of endangerment are concerned. This is because no constitution in the world has imposed the duty of self-sacrifice to any citizen.

The Personal Freedom and Safety in matters concerning the free movement and settlement is another issue which the military cannot enjoy full benefit of. Obligatory residence in military facilities or housing, mandatory moves due to transfers, as well as detachments for the execution of specific missions, put restraints on the free movement of the military. This happens not only during the normal working hours but also, most of the times, outside the specified service schedule. Even during peacetime, these daily obligatory moves surpass those of any other societal group. Nevertheless, in order to provide basic protections for the military and prevent arbitrary decisions that will further aggravate the situation, each branch of the armed forces has established regulations that govern mandatory movements. Moreover, the Ministry of Defense has to acknowledge and the Defense Minister has to sign for every transfer of an officer from the rank of Major and above.

The right of collective action, including the submission of collective reports, the right to assemble and form unions, and the right of strike are provided for the Hellenes in Articles 10, 11, 12 and 23 of the 1975 Constitution. The status of the active-duty military, however, precludes participation in such activities, since the opposite is perceived as

damaging for the integrity of the force. Deviations from this practice, even under specific preconditions, would be equal to complete confutation of the military discipline itself. At the same time, these restrictions do not apply to the private life of the military. After 1980, the Unified Military Code permits active-duty personnel to be members of scientific associations, athletic teams or other charitable groups after the written consent of the service, something that the previous Code strictly forbade. Finally, the restrictions applied to the right of free labor (Article 22, paragraph 1 of the Constitution) are stricter for the military than any other public servant.⁷⁹ The undertaking of any job for financial reward is prohibited. These restrictions were recently justified by the explanatory regulations of the relevant law, which state that, for the sake of military readiness, the permanent members must not undertake any other job outside the armed forces. Past regulations forbade outside jobs in order to preserve the dignity of the force, since most of the civilian jobs were not considered as decent as the military profession.

Except for the above restrictions, that maybe considered imperative and have to do with the unimpeded function of the armed forces, a careful researcher could still find, until a few years ago, other restraints that did not emanate from the specific nature of the military profession. These restraints were the remnants of past eras, when the societal distinction and the political correctness of the military were viewed under a different perspective. Articles 5 and 21 of the Constitution provide for the rights of the citizens to develop freely their personality and have their own private and family life protected.

⁷⁹ According to the Civil Employee Code (article 77), this is permitted to public servants, after the consent of the respective service and only “when the other job is in term with one’s duties and do not

Regulations that deprived the military of these rights are either in the process of being eliminated altered in order to match the constitutional principles. Thus, unreasonable drills that incorporated long periods without food or sleep, as well as personal insults, were excluded from the regulations, the rationale of this decision being that the military organization⁸⁰ does not require such ordeals in order to be in combat readiness. Moreover, the new Military Code of 1977 has revoked the restrictions applied to the military with regard of their social affiliations. The old Code demanded from the military to be associated only with “reputable and honest” persons, and this reputability was translated to “political correctness” as perceived during the 50s and the 60s. A potential spouse with leftist or liberal ideology was not considered suitable to marry another military person, on the grounds that his/her beliefs might affect the military’s performance. Until 1974, when the law started to attenuate, a member of the armed forces had to ask for a written permission by the General Staff in order to get married. Likewise, infringements to the above constitutional rights would be the enforcement of a military to reveal personal information as well as one’s surveillance or monitoring of one’s communications. Nowadays, such actions are considered not only unconstitutional, but illegal and punishable.⁸¹

In the last decades two more restrictions have been either abolished or changed in order to reflect the different approach of the state on the relevant issues. Concerning

inhibit one’s performance in the public sector.”

⁸⁰ Except in specific branches as the Special Forces of the Hellenic Army or Navy.

⁸¹ Except when fundamental Articles of the Constitution are postponed during a state of siege.

religious beliefs, the new Military Code has no more obstacles. The only prerequisite is that these beliefs do not prevent the military from fulfilling the assigned duties⁸². Furthermore, the above right cannot force a member of the armed forces to participate in any kind of religious practice, even if this is the predominant one. The other thing that has changed is the restriction to the freedom of information and the expression of opinion. Its abolishment produced many objections and the General Staff of each branch tried to limit its consequences, but the only constitutional limitation that has been applied is that of forbidding the reading of newspapers and the participation in political discussions during service working hours. Outside of military installations such restrictions have already been characterized unconstitutional and illegal by the Council of the State⁸³ as long ago as in 1977. The Council's rationale was that:

Since the constitution guarantees the freedom of the press and its unobstructed circulation, without any discrimination regarding the political ideology of the printed material, the procurement and the reading of the newspapers cannot be restricted by dividing in nationalistic, which are good for the military and communistic, which must not be bought and read by the members of the armed forces.⁸⁴

As far as the freedom of expression is concerned, the related regulations have already been changed. According to the old regulation, any member of the armed forces, military or civilians who wished to publish a document, had to acquire the written concession of the Minister of Defense. The new regulation limits this prerequisite only to

⁸² Like the heresy of Jehovah's Witness that does not carry weapons, so they are unable to function inside the armed forces.

⁸³ The Council of State is commissioned to judge the constitutionality of the laws issued by the legislative branch or the regulations of the public departments.

⁸⁴ Decision by 2209/1977, p.636.

publications with political or partisan content (the differences between “partisan” and “political” are clarified in Section B1 of the paper). However, publication that deals with any kind service or documents is not allowed. What has been removed is the protection of the armed forces as an organization to any kind of criticism, especially public criticism by its own members. As long as the criticism is confined within the boundaries of self-restraint and discretion, which are necessary for the reliability of the army, and as long as it does not harm the mission, then the criticism is accepted.

4. The Acceptable Way to Impose Restrictions

The old German theory that dealt with the restrictions of constitutional rights of the country’s public servants incorporated the traditional way of imposing these restrictions: the Kaiser was not bound by the German legislature and was entitled to impose them by decree. Whether this decree was supported by law was irrelevant. Their source was the nature of the relation that these citizens had with the state. Thereby, the administration could impose restrictions by decree without being checked by the law. According to the practices of the era, “when a citizen belonged to the state mechanism, he accepted automatically a status of non-justice”⁸⁵, where the constitutional rights were not valid.

Nowadays, the principle of rightfulness does not permit the slightest margin for such kind of behavior. The administration, especially the executive branch, must act in accordance with the Constitution in order to be lawful. It is permitted to issue restrictions

⁸⁵ A. Pantelis, *Topics on Constitutional Saving Clauses*, Athens 1984, p.114-15.

by itself only when the legislative branch has granted such a privilege, or during extreme situations, clearly defined by the Constitution. Moreover, the administration cannot issue norms or regulations without the authorization of the Hellenic Parliament, not even to supplement or change a decree that has been characterized unconstitutional.⁸⁶ The only way to change an unconstitutional decree or a law, rendered inactive due to its illegal nature, is by a new law.

Consequently, the administration can impose restrictions on the constitutional rights of the military only when the legislative branch has issued a related law. Furthermore, as for every law that affects the rights of the Hellenic citizens, the Constitution demands voting by the plenary session of the Parliament and not by a legislative part of it. Therefore, neither the nature of the relation of the military to the state, nor the appeal to the disciplinarian status of them, suffice to substitute the lack of related legislation or authorization by the Parliament to the Administration in order to issue normative decrees. Moreover, these decrees have to be specific and well-defined, limiting thus the judicious freedom of the qualified authorities to impose disciplinary or administrative penalties.

The proper way to limit the magnitude of the restrictions imposed on the military constitutional rights can be achieved, initially, by discerning between the restrictions that are imposed to guarantee the military mission and those that are imposed to protect and preserve the prestige of the armed forces. Even if the separation between these two sets of

⁸⁶ "No to Ministers-Legislators", "The Tribune " newspaper, 01/12/92.

regulations is difficult, it is certain that the first set has to be stricter, since it serves the needs of the organizational structure of the armed forces as well as their combat readiness. As far as the second set is concerned, and since most of these rules deal with situations outside the military life of a person, they have to be looser, in order to match the liberal provisions of the Constitution. Taking this fundamental difference as a starting point, the Council of State used accepted principles by which it controls the magnitude of the restrictions imposed on the citizens and, consequently, on the military. When the Council of the State examines the constitutionality of the magnitude of the restrictions it takes under consideration that the principal disparity between the military and the other citizens is the particularity of their obligations to the state and not their different legal status. The principle of leaving the essence of the affected rights intact is actually based upon the supremacy of the Constitution over the rest of the laws and states that it is impermissible for an imposed restriction, even if it is constitutional, to completely erase the constitutional provision. The basic right is absolute and its fundamental elements cannot be canceled by any law.

Numerous examples exist to support the validity of the aforementioned principle. The planning and execution of “suicide missions” is forbidden by the constitutions of the civilized nations as an outright violation of the right of life. The obligatory quartering, during peacetime, under conditions that do not comply with the elementary living standards is contrary to, and violates, the right of physical and mental integrity of the military. The systematic cancellation of leaves and the continuous and unreasonable transfers are forbidden as acts violating the right of freedom. Finally, the prohibition to

attend, outside of the working hours and in civilian clothes, a political meeting, violates the right of participation in the political life of the country.

The principle of proportionality dictates that the restrictions must be proportional to the specific needs, which are established for and must not surpass the necessary limit. Therefore, in order to argue about the validity or the constitutionality of the applied restrictions, the administration cannot simply appeal to the needs of the military structure, the military discipline or the mission of the armed forces. What is needed, above all, is the provision of documented explanations to justify the applied restriction, as well as the detailed description of that consequences that this restriction is going to have on the military. In this way, the administration will have to first consider and plan and then apply the restriction.

B. POLITICAL RIGHTS OF THE MILITARY

1. Political Versus Partisan Neutrality

In order to avoid repetition of past practices and protect the professional and social integrity of the armed forces, the 1975 Constitution imposed both direct and indirect impediments concerning the partisan neutrality of the military as well as provisions which rule out the involvement of active duty personnel in the politics of the country. Article 29 para.3 forbids in general the display, by any means, of preferences for a particular political party. The restriction extends to include the lives of the military outside their units. Indirectly, the Constitution established, in Article 56, legal infringements if an active military attempts to run for an electoral office, and further

restrictions are provided for in Article 103, paragraph 1, which also includes the civil servants in general. The provisions of these two Articles apply equally to everyone who serves in the armed forces regardless whether they are career officers, NCOs or enlisted personnel. This declaration was widely accepted by the entirety of the political world and did not produce any debate from the military side.

Article 56 was included in various forms in all the revised constitutions since 1911. Prior to this the Hellenic Constitutions allowed a military officer to run for a parliamentary seat. In case he was elected representative, he was suspended from his military status in order to serve his term, and at the end of his term he returned to the armed forces. This benefit was granted to the officer corps because of the army's crucial role during the revolt against King Otto, which resulted in the introduction of the first Constitution. This was changed by the 1911 Revisionary Parliament, after the appeal of many military that considered the two identities to be controversial. The first paragraph of Article 56 states that the officers are not permitted to run for a public office while on active duty. Furthermore, an officer is not even permitted to become a candidate, as long as his discharge has not become official. The formulation of the Article excluded warrant officers, NCOs, enlisted personnel and reserves who have been recalled to active duty. Great consideration has since been given to this issue for future revision of this article in order to extend the restriction to the armed forces as a whole.

The essence of the right to run for public office is not cancelled since the authorities (in this case the relevant General Staff) are obliged to accept the resignation of the officer who wishes to become a representative. The Constitution, as stated in the

explanatory laws, considers the resignation *ipso-facto* and such resignation cannot be recalled. Appropriate legislation protects the constitutional right of the military to be elected. In order to ensure that the authorities will not cause any intentional delay, the resignation is submitted to the a special court, which is entitled to check and approve the electoral candidates. From the moment the military person's resignation is submitted he/she declares the decision to vacate the ranks of the force, become a civilian, and take advantage of the entire spectrum of benefits provided by the Constitution. Of course, this decision has to be considered as final and irreversible. Thus, the Constitution forbids the return to active duty of any military who resigned in order to run for a public office. This provision attempts to protect the other members of the armed forces from being exposed to partisan influence by the unelected candidate. Moreover, it makes clear that any officer who has resigned for such reason cannot be recalled even in reserve-active duty. The only exception to the above rules is the case of military personnel that make use of the specific article in order to resign before the completion of their commitment. As graduates of the Military Academies, officers and NCOs are obliged to serve for a certain number of years before becoming eligible for retirement and a full pension. Influenced by the principles of fairness and equity, the lawmakers have devised laws protecting all sides. If the military authorities can prove that a specific officer invoked the beneficial provisions of Article 56 and resigned, but never belonged to a political party nor had the intention to participate actively in the electoral procedure, the resignation is revoked and the resigned officer is reinstated in the ranks.

Attempting to prevent active-duty personnel from any kind of political activity

that might be perceived as related to their duty, the Constitution goes even further by introducing another legal impediment to the electoral eligibility of the military in paragraph 3 of Article 56. More specifically, a member of the armed forces is not eligible for candidacy in a specific district if he/she served in a nearby unit for more than three months during the last three years. This restriction aims to prevent a military person from taking advantage of this position and promote his/her future political career. The lawmaker's decision regarding this restriction was affected by experiences of the past, when the officer's privileged social status sufficed to safeguard the exertion of influence, for political ends, to the civilian community. Even though the current situation is different, however, public servants become associated with many people and may be tempted to use their acquaintances to increase their constituency. For the military in particular, the fear is that they may force their subordinates to vote in their favor. In order to define the time limits explicitly, the legislation does not count the time from the official transfer of the military to the respective position as part of the service period. The above restriction does not apply for those who compete for State Representative seats⁸⁷ or the military who served in the General Staffs. It must be noted however that, while paragraph 1 deals only with officers, leaving the rest of the armed forces unaffected by its restrictions, paragraph 3 of the same article provides legal impediment to the eligibility of the military as a whole. Similar restrictions about the eligibility of the military apply to the elections for the European Parliament or City Council. In the same manner, as

⁸⁷ State Representatives participate in the normal electoral procedure and take benefits from the number of their respective parties' votes throughout the constituency. Thus, the more votes a party wins,

described above, a military person has to resign before he/she runs for office, but in that case the military authorities are not obliged to accept the resignation which, in any case, is not characterized as *ipso facto* by the Constitution.

The need for partisan neutrality of the military is also expressed implicitly in Article 103, paragraph 1. This article refers to the obligation of public servants in general to act as representatives of the state's will and serve the Hellenic people, remaining loyal to the Constitution and devoted to the State. Liberally interpreted, this provision that includes the military as state employees falls into the notion of partisan neutrality. Consequently, people who belong in political fractions or parties with declared intention to topple the polity and the Constitution should not be accepted in the ranks of the armed forces or in the civil services, because their admission would contravene to the constitutional demands. The constitutional provisions referring to the need for partisan neutrality of the army are exhausted in the aforementioned Articles. Nevertheless, a series of regulations and decrees was introduced during the years to ensure the armed forces' adherence to the expressed constitutional demand, which coincided with the desire of the government to keep the country's military out of the political scene for good. Immediately after the fall of the *junta*, the Karamanlis administration revised all the laws introduced by the military regime, with the help of which dictator Papadopoulos had managed to centralize both the political and the military authority in his hands. By abolishing the *junta*-imposed institution of the Supreme Armed Forces Command and

the more State Representatives it presents to the Parliament.

reestablishing the Supreme Council of National Defense (ASEA=Anotato Simvoulío Exoterikon kai Aminas), the government reshaped the command structure of the armed forces and reassumed control over the armed forces.⁸⁸ Furthermore, the first post-*junta* Minister of Defense, Evangelos Averof, declared the governmental desire to abolish the past and treat the military as equals to the rest of the Hellenes, as long as the army as a whole remained outside politics and respected the new Constitution.⁸⁹ The introduction of Law 660 of 1977 specified the chain of both civilian and military command and the subordination of the army to the political leadership, restating indirectly the desired policy of partisan neutrality. The above articles and regulations underline the determination of the Constitution and the Legislature to keep the military unaffected by the influence of the parties, ensuring thus their neutrality and devotion to their primary mission. Nevertheless, no provisions prohibit the development and expression of political consciousness. This observation derives from the literal interpretation of Article 29, paragraph 3 that actually prohibits the military from participating in political meetings, when the meetings are taking place to support or reproach a political party. Paragraph 1 of the same Article, however, grants permission to every citizen who has voting rights to be enlisted in the ranks of an existing party, or even establish their own party, as long as the charter and the activities of the party do not impede the normal functions of the democratic regime. Furthermore, it derives from the inherent difficulty of modern, democratic societies to differentiate between the notion of political or non-political. The

⁸⁸ Veremis: "The Military in Greek Politics", Black Rose Books, Montreal, 1997, p. 175.

⁸⁹ Ibid., p. 176.

political pluralism introduced in the latter half of the century entails the permeance of all aspects of everyday life by politics. Thus, the perception that it is possible to have politically inert societal groups, their political inertia being equivalent to political neutrality, becomes utopian. Many reputable scholars of the Constitution have expressed the opinion that, for the Hellenic reality there is no political neutrality - what really exists is "levels of politicization"⁹⁰. Thereupon, the military may have their own political beliefs about general political issues and are free to express and support these thoughts, but in a way that does not jeopardize their reliability as state employees or the prestige of the Armed Forces. The Hellenic society became highly politicized during the last twenty years and, at the same time, divided along clearly defined partisan lines, blurring thus the distinction between political and partisan. Recognizing the profound changes in the structure of the society, the Constitution provides the right to all the citizens, through paragraph 1 of Article 5, to participate freely in the political, economic, and social life of the country, as well as to develop their personality unobstructed. Regardless of the restrictions that apply to the military concerning the expression of partisan preference, these provisions are fundamental and no citizen may be excluded from this privilege, yet alone an entire societal group.

The above analysis vindicates the argument that a military person should conceal partisan propensities within the service, as self-evident and self-explanatory restriction deriving from the particularities of the military profession. Furthermore, the principle of

⁹⁰ Address of Constantine Tsatsos to the Plenary Session, Hellenic Parliament's Plenary Session Documents, 13 May 1975, p. 786.

legality and equality, introduced by the Constitution, forbids any citizen, while performing his/her duties, to discriminate according to personal, partisan or any other kind of criteria. A military person, as every public servant, has to be objective and uninfluenced by personal beliefs. This restriction is required for the safeguarding of the army's functional effectiveness and not constrained by special circumstances, as is the case with some other principles that may be affected, or revoked, in times of emergency. It has to do with the actions of a military as an employee of the State.

The constitutionally imposed restriction concerning the military's partisan neutrality is the sole case in which the current laws infringe upon the personal life of a citizen. Privacy is protected by the Constitution and, naturally, the personal life of a military person remains intact. The lawmaker, attempting to avoid undesirable consequences, prohibits the appearance of uniformed military personnel to a public partisan convention, even unintentionally, on the grounds that he/she would be easily noticed and provoke other citizens. Open support of this kind for a political party by military personnel might create justifiable questions regarding the unprejudiced way of performing their duties. Moreover, it may damage the prestige of the armed forces, by exposing them to criticism for patronizing a specific party. In the same context, regardless of the constitutional provisions in Article 29, the accession of military personnel to a political party, even if it is not made publicly known, should be considered impermissible. Finally, as many experts in the field of the military persons' political rights argue, the control established by the above restrictions has to become stricter. A recommendation by the Council of the State (313/1991) proposed a more austere

interpretation of Article 29, paragraph 3 of the Constitution, concerning the public servants in general. According to the exegesis of that article, the fact that the law forbids the expression of partisan preference during service hours should not mean that it permits this behavior outside the service. It refers only to this action during the service in order to define the magnitude of the violation and, consequently, the potential penalty. Expressions of partisanship either within or outside the service are unacceptable. In order to become more effective, the control has to take under serious consideration the criteria of discreteness, decency and self-restraint. Such attributes must discern the expression of the political thoughts not only of the military, but also of everyone who becomes voluntarily an employee of the state.⁹¹ The legislature, accepting the fact that a restriction should not completely cancel a constitutional right, has already clarified the way that a military can exercise his right of "participation in the political affairs of the State". Personnel of the armed forces are free to express publicly their partisan preferences, without provoking the public feeling. Since army regulations do not require military attire outside the service hours, they may participate in civilian clothing to any political meeting, but always exerting the proper self-restraint that does not evoke public reactions against the armed forces.

Conclusively, it is evident from the above that the principle of neutrality affects only the acts and the expressions of partisan ideology of the military, and does not extend to questioning or restraining their beliefs. Apart from a few extreme cases where it can be

⁹¹ Council of the State, decision 151/ 1958-2209/ 1977- 320/1980.

considered that the political affiliations of a military person may harm the national security, preferences related to parties or politicians remain a personal matter of each individual. As long as a military person does not voice these beliefs in an inappropriate manner, or through an inconsistent attitude, then these beliefs do not affect his/her career.

The reasons that prompted the *pre-junta* political world to tolerate, or even support, partisan influence on the military organization, as well as the unfavorable consequences of these choices, have been analyzed in the previous chapters. The 1975 Constitution and the relevant legislation that followed made every effort to contain this dangerous and disreputable practice. The effort was facilitated by the materialization of the principles of equity and non-discrimination, which the Constitution enforced even to the few unwilling ones. As far as enlisted personnel are concerned, the severity of past problems has been eliminated. The old-fashioned special reception camps for privates who were suspicious for their political beliefs, an unacceptable discriminating policy indeed, have ceased to exist. The first of these reception camps was established in 1947, after the proposal of the Army's Chief of Staff, in order to accept enlisted soldiers whose political stance during the Civil War was ambiguous. Before that, in 1881, and without any formal declaration, a special battalion was active in Northern Hellas, with the sole purpose of accepting "unwanted" privates, especially communists. In any case, these places should not be confused with the notorious concentration camps of other times and places. In there, the soldiers were indoctrinated to the "merits" of anticommunist ideology, and sometimes forced, during election periods, to vote in favor of the ruling party. For the career officers, the legislation had refused for many years the entrance in

the armed forces of every person with clearly expressed political thoughts or partisan beliefs, applying an extreme form of “political neutrality” or “political correctness”. This attitude was implemented after the end of the Civil War and continued later on, since the start of the Cold War did not permit the softening of the hatreds among the former belligerents. The turbulent 50s and early 60s, and the general anticommunist feelings of the western world, contributed to the creation of the erratic perception that “correct” partisan criteria were justifiable and even rational for the submission of a citizen in the armed forces and soon were expanded to the public services in general. Today, discrimination of this kind is unacceptable and cannot be justified by the needs of the national security. Naturally, national security may be at risk if the service accepts the admission in several vital posts in the military structure, of individuals whose personal beliefs are suspected to be guided by extreme political ideas. Since there is no evidence for potentially dangerous behavior, prohibiting someone from entering the armed forces on the grounds of personal political thoughts is unconstitutional. On the other hand, entrance in the armed forces does not mean automatic transfer of a military to a vital post. In this way, the government and the military authorities are still able to use reliable personnel to sensitive posts without being accused as violators of the constitutional provisions.

The most important legislative change concerning the partisan neutrality of the military took place in 1983. For the first time in the history of the armed forces, the Military Academies accepted students who had succeeded in the Pan-Hellenic examinations for the University level. This change deprived the military administration of

the authority to run and supervise the examinations, and established an impeccable system of admission in the armed forces for an officer's career. It was a momentous novelty then, and still supports the principle of meritocracy and, furthermore, it extends it to the most sensitive part of the state's apparatus. Needless to say, the military administration welcomed this measure, as indicated by the statements of the Chief of Joint Chiefs and the Chiefs of the other branches separately, who considered this innovation as a decisive step towards the full professionalization of the armed forces.

2. Selections and Promotions

The described measures prohibited to the greatest extent possible, at least in principle, the incorporation of political criteria for the selection and treatment of every candidate, officer and NCO. What remains to be seen is whether the same sensitivity applies for the rest of a military's career. In past years, many ways were invented to prevent someone from acquiring higher ranks in the hierarchy of the armed forces, the most convenient of them being the establishment of criteria that did not apply equally to all the personnel. Another way of discrimination was by permitting subjective criteria to weigh more than the objective ones during the selection procedure. As already mentioned, royal favoritism and a distorted view of political correctness plagued the ranks of the corps for decades. Many good officers saw their careers destroyed because they were not included among the privileged few, until an objective selection and promotion system, based primarily on meritocracy, was invented. Before referring to the existing regulations about the promotions in the armed forces, however, it is suitable to report the bodies that are responsible for these promotions.

The Administrative Council of Foreign Policy and Defense (KYSEA=Kivernitiko Simvoulío Exoterikon kai Aminas) stands at the top of the chain of command. It replaced the old ASEA and is the primary institution responsible for the shaping of the country's foreign and defense policy. Furthermore, by assuming the responsibility of important domestic military matters, it firmly establishes the long-anticipated political control over the armed forces. It consists of the Prime Minister as Chairman and the Ministers of Foreign Affairs, Finance, Defense, and Public Order, as well as the Chief of Joint Chiefs as members. Besides drafting defense policy, KYSEA is authorized to select and appoint the Chief of Joint Chiefs⁹² and the three Chiefs of Staff for each branch of the Armed Forces.⁹³ The Council of Joint Chiefs of Staff it is consisted of the Chief of Joint Chiefs as a chairman and the three Chiefs of Staff as members. This council is responsible for the promotions of the officers from the rank of brigadier general and above. Finally, the Supreme Councils of Army, Navy or Air Force consist of the Chief of Staff as chairman and all the Major Generals and Lieutenant Generals of the respective branch. These councils are responsible for the promotion of all the officers from the rank of Colonel and below. Even if the selection and promotion boards are different for each group of ranks, the regulations that define the criteria for a selection or promotion are of the same objectiveness. Moreover, if an officer feels that a selection board made an erroneous or unjust decision, he/she may appeal to the Council of the State and is entitled to present

⁹² In that case the present Chief of Joint Chiefs does not participate in the meeting.

⁹³ Veremis: "The Military in Greek Politics", Black Rose Books, Montreal, 1977, p. 174. The duties and responsibilities of KYSEA, as well as the other institutions in the chain of the armed forces command, are described in the Law No. 660 of 1977 that was amended in 1995 by the Law No. 2292, published in the

the case, while on active duty, without fear of any further punishment.

Various criticisms questioning the objectiveness of the selection and promotion process focus their attention to the rank of the Colonel, because promotion to the next rank is a milestone in the military life of an officer. In order to understand the insistence of the critics on this rank, it is important to explain the factors that differentiate the promotion procedures of company and field grade officers, up to Lieutenant Colonels, from those of the Colonels. For the former ranks, the existence of a vacant executive post is not a prerequisite for the selection and promotion of the officer, while for the Colonel such a position is needed. Moreover, if a Colonel is not promoted to the next rank for three consecutive selection procedures, then he/she is honorably discharged. The critics argue that the difficulties associated with promotion to the rank of Brigadier General may force members of the selection board to succumb to personal preferences, or prompt the Colonels-under-evaluation to demonstrate “over-obedient” behavior, in order to become popular, at the expense of their operational effectiveness.

Even if it is obvious that the selection by the government of the Joint Chief or each Chief of Staff may incorporate some elements of political preferences, this practice is characterized by many scholars as natural and in favor of a good administration. “A government is legalized, up to a point, to evoke the need of political and personal trust”⁹⁴ to the leadership of the armed forces. Such a trust is dictated by the needs of cohesion,

Government Gazette No. 35 of 15 February 1995.

⁹⁴ N. Alivizatos : ‘I Sintagmatiki Thesis ton Enoplou Dinameon’ (The Constitutional Status of the Armed Forces), Vol. II, Sakkoulas, Athens/Komotini, 1992, p. 218.

coherence and effectiveness of the administration, at the expense of the principle of meritocracy. As Huntington states:⁹⁵

“...if the party in power does attempt to follow a conservative and unpopular line, whatever aid the military can contribute will certainly be invoked in merchandising that policy to the public. If a more popular policy is followed on the other hand, the Joint Chiefs will be expected to adhere to the prevailing views. Inevitably, the Chiefs must be either representatives of public opinion or pleaders before it.”

In order to validate the criticism about the questionability of the selection and promotion procedures, it is important to focus at the points of these regulations that the criticism is applied. The personal perception of the members of the Supreme Council about the judged person is the target of most of the criticism. Nevertheless, the personal perception of each member has to be supported by the competence reports of the judged officer, as well as by the rest of the data from his personal file⁹⁶. In case of an unfavorable decision, it has to be based on concrete data. Even if the personal view of a member may be subjective, it is highly unlikely to affect the outcome of the board, because in the Council of State such a decision needs to be justified.

The data are elements of the competence reports of an officer. The immediate supervisor of every officer completes and submits these reports twice a year. The reports are divided in seven basic categories and include physical, mental, moral, administrative and professional merits. Eligibility for promotion is achieved only if the grading points are equal to, or higher than, 8 (out of 10) in every topic of the evaluation sheet throughout

⁹⁵ S. Huntington, *The Soldier and the State*, Harvard University Press, 1957, p. 399.

⁹⁶ Except for the standard reports, the personal envelope includes also every other data outside the normal military documentation, both favorable and unfavorable: decorations, University degrees, medal

the officer's entire career. The supervisor has at his disposal checklists that describe the exact procedure for objective evaluation of the respective officer for each topic. Thus, the lawmaker attempts to safeguard the military's professional interest the best possible way. Finally, criticism applies to the expression in the related regulation, which states that "the judgement of the above qualifications is performed through the examination of them throughout the officer's career".⁹⁷ The critics of this paragraph argue that, by focusing on all the years of an officer's career, the risks for discrimination are multiplied. Moreover, it permits the members of the board to increase the gravity of their personal perception about the judged officer at the expense of the more objective criteria as presented in the evaluation sheets.

A careful evaluator of the promotion procedure may find some points in the letter of the law that justify the critics. Nevertheless, the law itself takes another step towards the protection of the military against unjustifiable judgments. More specifically, the regulation states that unfavorable evaluations, which took place a long time ago, do not count if the following reports were all in favor of the officer. Furthermore, occasional negative evaluations during an officer's career do not have the same gravity as repeated ones, or do not count at all. In this way the law and the related regulations try to avoid circumstantial evidence about the unsuitability of an officer to acquire the next rank. What the law demands from the board as a justification of an unfavorable decision is the presentation, with unquestionable proof, of a pattern of consistency in negative

and moral awards, but also sentences, instances of misbehavior according to the civil laws, etc.

⁹⁷ Article 20 para2, Law 78/1969.

evaluations that clearly vindicate the ineligibility of the judged officer to move on. Whereas the critics of the above regulation have found a point in the law that may facilitate discrimination by a member of the board, the magnitude of documentation that have to be applied synergistically in order to produce a negative decision is so broad that minimizes the chances of unfairness.

The 1975 Constitution drew to an end the turbulent operational and political circle of the Hellenic Armed Forces that lasted for almost one and a half century. The state reached the required level of political maturity to comprehend the real nature of the civil-military relations as perceived by the rest of the western world states. Moreover, the profound success of the post-*junta* governments is that they managed to transfer this maturity to the military, which were, nevertheless, more than willing to accept the new pattern that was taking shape. The Constitution and the derived laws were eager to provide safeguards to both sides against misconduct and contributed to the eradication of old beliefs and outdated practices. The armed forces broadened the pool from which they recruited their new members, and the rapidly developing society fed this pool with individuals possessing an ever-increasing intelligence and healthy political consciousness. Today's military has no reason to feel any kind of superiority or inferiority complexes toward the rulers of the state or the other people and the society are willing to accept them as an indispensable part of the Hellenic community.

V. CONCLUSIONS

The evolution of civilian control over the armed forces followed the pace of political evolutions in Hellas after her independence. Turbulent and intensive, the relationship between the military and the political world was largely consistent with the changes that affected the political developments and the social structures of the state. In the beginning, one of the most important characteristics of this relationship was suspiciousness regarding the other side's intentions. While still struggling against the Ottomans, the freedom fighters felt pushed aside from the power game, and threatened by the prospects of an emerging situation which they were not used to. Regardless of the political and social character of the new state, reminiscent of the nineteenth-century centralized European states, the military was the only relatively strong social group. It must be noted, however, that this situation was not pursued intentionally by the army. Inherent weaknesses and feelings of insecurity among the ruling elite prompted the politicians to entrench themselves and obstruct the rise of other social groups out of fear that they might have to hand part of their authority over. Thus, in search of internal support, they approached certain elements of the military caste in the hope that the added power would facilitate the interests of their respective political fractions. Means do not always serve the anticipated aims, however. Realizing their potential, the military sought a more direct presence in the political scene. As the situation developed, participation of active duty officers in governmental positions was frequent and satisfied the most ambitious of them. The negative consequence of this practice was that the army was inaugurated to a decisive political factor but the military acquired partisan mentality ,

before developing political consciousness. Repeated efforts to disengage the army from the influence of the parties and turn it to an obedient tool of the State met only with partial success. In fact, until the mid-60s, the political world did not manage to subordinate the armed forces to its will, and the 1967 *putsch* broke abruptly, and forcibly, any remaining ties. Of course, emancipation from political influences did not necessarily mean outright autonomization of the army, and this issue is often overlooked. The prominent *putschists* managed, through the imposed 1968 Constitution, to attain control not only over the Hellenic society, but also over the army. Even under these extraordinary conditions, however, the control was not complete, as proved by the fact that the *junta* was toppled by dissident high-ranking officers, who decided to take the initiative after the unfortunate Cyprus events in 1974. As already mentioned, these officers reflected the beliefs of the great majority of the officer corps, which believed that any involvement of the armed forces in politics would prove counterproductive in the long term. Unfortunately, the reluctance of this potentially dominant group to rise its voice when it was needed allowed the extremist minorities to act with considerable freedom and give the impression that the whole army was determined to play a primary role in the political scene of the state. The most important adverse repercussion of this practice was the estrangement of the army from the rest of the Hellenic society, the interests of which it was supposed to protect.

An intensive debate has been developed for the last two decades, concerning the extent to which the professionalization of the army in the immediate postwar years, a result of the substantial American aid provided to Hellas under the Truman Doctrine,

affected the desire of the officer corps to participate more actively in the politics of the Hellenic state. Scholars and historians adhered to two different theories in order to support their diverging views. One of them, introduced by Nordlinger, argues that professionalism makes the military group-conscious, instilling the ability and the willingness to intervene, if necessary, in order to protect corporate interests.⁹⁸ In short, the army is transformed to nothing more than an interest group with narrowly defined aims and broadly provided means to pursue its objectives. Adherents of the opposite view appeal to Huntington's notion of *objective control*. The government minimizes the army's political power by increasing its professionalism, turning thus the military to a politically sterile and neutral part of the society.⁹⁹ The Hellenic paradigm, however, does not conform completely to either one of them. In the first case, the perceived professionalization was incomplete, since it was not accompanied with a respective transformation of the army's mentality. Acquisition of sophisticated weaponry and training on the use of such equipment, without broadening the mental horizons of the recipient, does not result in increased professionalism. The Hellenic army found new, advanced "toys" to play with, but remained stuck to old-fashioned perceptions and prejudices, choosing to distance itself from the profound changes that affected the other societal groups during the 50s and the 60s. The social schism that occurred in 1967 was the inevitable result of this erratic practice.

The change of regime in 1974 forced the military back to the barracks. At the

⁹⁸ Eric Nordlinger: "Soldiers in Politics: Military coups and Governments," Prentice Hall, 1977, p. 65.

⁹⁹ S. Huntington: "The Soldier and the State," Harvard University Press, 1957, p. 84.

same time, however, the army, and especially the officer corps, became increasingly conscious for the much-needed social and professional reforms. The armed forces realized that their self-imposed isolation was outdated and counterproductive, and a gradual opening to the society was deemed necessary. By sharing the common belief that the stratocratic regime was becoming an anachronism, the military were ready and willing to change and mature, discarding the partisan influences of the past, either externally imposed or internally sought. Most important of all, they felt the ardent desire to reinstate their national prestige to its right dimensions. The post-*junta* officer pays close resemblance to Huntington's paradigm. Yet again, a fundamental difference exists. The newly introduced institutions, the Constitution and the legislation, demonstrated their determination to modernize and professionalize the military both in terms of means and in terms of mentality without sterilizing them politically. Such a decision would have been equally antiquated and anachronistic to the previous practice. At that stage, the role of the judicial branch was catalytic to the reactions of the military. Taking advantage of the juridical decisions, the Constitution's interpretations and their own will, the armed forces started to increase their political consciousness, while at the same time attempting to approach the society. Simultaneously, the political world, encouraged by the stance of the military and the realization that the democratic regime was gradually consolidating, was prompted to accept the new status. The government, hesitantly in the beginning, but with ever-increasing tempo, adopted a policy of careful trustiness toward the armed forces. This trust gave room to the army to grow professionally, mature politically and socially, and set the basis for a healthy and productive relationship with the state.

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